



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MAY 6, 2002
12:15 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

A communication from Mayor Ralph K. Smith requesting a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

P. 10

A communication from the City Manager requesting a Closed Meeting to discuss disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended.

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THE MEETING WILL BE DECLARED IN RECESS TO BE IMMEDIATELY RECONVENED IN THE EMERGENCY OPERATIONS CENTER CONFERENCE ROOM, ROOM 159, FOR THE FOLLOWING BRIEFINGS BY THE DIRECTOR OF FINANCE AND THE COMMISSIONER OF THE REVENUE:

Restatement of the City of Roanoke Pension Plan. (30 minutes)

P. 12

Update on Fiscal Year 2002 revenues with potential changes to proposed Fiscal Year 2003. (45 minutes)



***ROANOKE CITY COUNCIL
REGULAR SESSION***

***MAY 6, 2002
2:00 P.M.***

CITY COUNCIL CHAMBER

AGENDA FOR THE COUNCIL

1. Call to Order--Roll Call.

The Invocation will be delivered by The Reverend Edward T. Burton, Pastor, Sweet Union Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America will be led by Mayor Ralph K. Smith.

Welcome. Mayor Smith.

NOTICE:

Meetings of Roanoke City Council are televised live on RVTV Channel 3. Today's meeting will be replayed on Channel 3 on Thursday, May 9, 2002, at 7:00 p.m., and Saturday, May 11, 2002, at 4:00 p.m. Council meetings are now being offered with closed captioning for the hearing impaired.

ANNOUNCEMENTS:

THE PUBLIC IS ADVISED THAT MEMBERS OF COUNCIL RECEIVE THE CITY COUNCIL AGENDA AND RELATED COMMUNICATIONS, REPORTS, ORDINANCES AND RESOLUTIONS, ETC., ON THE THURSDAY PRIOR TO THE COUNCIL MEETING TO PROVIDE SUFFICIENT TIME FOR REVIEW OF INFORMATION. CITIZENS WHO ARE INTERESTED IN OBTAINING A COPY OF ANY ITEM LISTED ON THE AGENDA MAY CONTACT THE CITY CLERK'S OFFICE, ROOM 456, NOEL C. TAYLOR MUNICIPAL BUILDING, 215 CHURCH AVENUE, S. W., OR CALL 853-2541.

THE CITY CLERK'S OFFICE NOW PROVIDES THE MAJORITY OF THE CITY COUNCIL AGENDA ON THE INTERNET FOR VIEWING AND RESEARCH PURPOSES. TO ACCESS AGENDA MATERIAL, GO TO THE CITY'S HOMEPAGE AT WWW.ROANOKEGOV.COM, CLICK ON THE ROANOKE CITY COUNCIL ICON, CLICK ON MEETINGS AND AGENDAS, AND DOWNLOAD THE ADOBE ACROBAT SOFTWARE TO ACCESS THE AGENDA.

ALL PERSONS WISHING TO ADDRESS COUNCIL ARE REQUESTED TO REGISTER WITH THE STAFF ASSISTANT WHO IS LOCATED AT THE ENTRANCE TO THE COUNCIL CHAMBER. ON THE SAME AGENDA ITEM, ONE TO FOUR SPEAKERS WILL BE ALLOTTED FIVE MINUTES EACH, HOWEVER, IF THERE ARE MORE THAN FOUR SPEAKERS, EACH SPEAKER WILL BE ALLOTTED THREE MINUTES.

ANY PERSON WHO IS INTERESTED IN SERVING ON A CITY COUNCIL APPOINTED AUTHORITY, BOARD, COMMISSION OR COMMITTEE IS REQUESTED TO CONTACT THE CITY CLERK'S OFFICE AT 853-2541 TO OBTAIN AN APPLICATION.

2. PRESENTATIONS AND ACKNOWLEDGMENTS:

A resolution memorializing the late Willis M. "Wick" Anderson, a former Mayor of the City of Roanoke.

R. 13

Proclamation declaring the week of May 12 - 18, 2002 as National Historic Preservation Week.

Proclamation declaring the week of May 12 - 18, 2002 as Business Appreciation Week.

Proclamation declaring the week of May 5 - 11, 2002 as National Tourism Week.

Proclamation declaring the month of May 2002 as Early Intervention Month.

3. CONSENT AGENDA

ALL MATTERS LISTED UNDER THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE BY THE MEMBERS OF CITY COUNCIL AND WILL BE ENACTED BY ONE MOTION. THERE WILL BE NO SEPARATE DISCUSSION OF THE ITEMS. IF DISCUSSION IS DESIRED, THE ITEM WILL BE REMOVED FROM THE CONSENT AGENDA AND CONSIDERED SEPARATELY.

C-1 Minutes of the regular meeting of City Council held on Monday, April 1, 2002.

P. 15

RECOMMENDED ACTION: Dispense with the reading thereof and approve as recorded.

- C-2 A communication from the City Manager requesting that Council schedule a public hearing for Monday, May 20, 2002, at 7:00 p.m., in connection with granting easements across City-owned property located between Wasena Park and 13th Street, S. W., to Appalachian Power Co., d/b/a American Electric Power, for the purpose of relocating and reconstructing existing electrical transmission and distribution lines, and to vacate existing easements in connection with the Roanoke River Flood Reduction Project.

RECOMMENDED ACTION: Concur in request.

- C-3 Qualification of Erin Garvin for a term ending March 31, 2003; Anita L. Lee for a term ending March 31, 2004; David Walton and Onzlee Ware for terms ending March 31, 2005, as members of the Parks and Recreation Advisory Board.

RECOMMENDED ACTION: Receive and file.

REGULAR AGENDA

Appointment of two Trustees to the Roanoke City School Board for three year terms of office commencing July 1, 2002 and ending June 30, 2005. Applicants are:

Carl D. Cooper
Edward Garner
William H. Lindsey
William E. Skeen
Robert J. Sparrow

4. PUBLIC HEARINGS: NONE.

5. PETITIONS AND COMMUNICATIONS:

- a. Request of Roanoke Festival in the Park to discuss Festival in the Park 2002 events. Stuart Israel, Executive Director, Spokesperson. (10 mintues)

6. REPORTS OF OFFICERS:

a. CITY MANAGER:

BRIEFINGS:

V-STOP Grant. (15 minutes)

P. 54

ITEMS RECOMMENDED FOR ACTION:

1. A communication recommending execution of a one-year agreement with Automated Mailing Systems, Inc., for provision of postage metering, bar coding and presort services, at approximately \$19,150.00 per year, with the option to renew for four additional one-year periods; and rejecting all other bids received by the City. P. 55;
R. 58
2. A communication with regard to the engagement of consulting services to update the City's Zoning Ordinance. P. 59;
R. 76
3. A communication recommending acceptance of the bid submitted by Super Lawn Truck, Inc., for purchase of three new landscape maintenance cab/chassis and bodies, in the amount of \$164,738.49; and rejecting all other bids received by the City. P. 78;
R. 81
4. A communication recommending appropriation of \$349,790.00 for completion of Phases I and II, Wireless E-911 Services, for fiscal year 2001-02. P. 82;
B/O 83
5. A communication recommending acceptance of a Friesian horse for the Mounted Patrol Unit. P. 85;
R. 86
6. A communication recommending authorization to use competitive negotiation as the method to secure vendors to operate an indoor/outdoor coffee shop on the lower level of the Main Library, adjacent to Bullitt Avenue. P. 88;
R. 90

7. A communication recommending acceptance of two grants from the Library of Virginia to fund a training program for middle and high school age students to assist library patrons on the use of computers at the Main Library and branch libraries, in the amount of \$5,000.00, creation of a library website, in the amount of \$5,000.00; and appropriation of funds.

P. 92;
B/O 94;
R. 96

b. DIRECTOR OF FINANCE:

1. Financial report for the month of March 2002.

P. 97

7. REPORTS OF COMMITTEES:

- a. A communication from the Roanoke Valley Cable Television Committee transmitting the Roanoke Valley Cable Television annual budget for fiscal year 2002-03, totaling \$267,885.00, with the City's contribution totaling \$147,337.00. W. Alvin Hudson, Jr., City Council Representative to the Roanoke Valley Cable Television Committee.
- b. A communication from the Roanoke City School Board requesting appropriation of \$104,255.00 from the Capital Maintenance and Equipment Replacement Fund; and a report of the Director of Finance recommending that Council concur in the request. Richard L. Kelley, Assistant Superintendent for Operations, Roanoke City Public Schools.

P. 114;
R. 124

P. 126;
B/O 128

8. UNFINISHED BUSINESS: NONE.

9. INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

- a. Ordinance No. 35818, on second reading, amending, repealing or replacing proffered conditions authorized by Ordinance No. 32294-121994 presently binding upon Official Tax No. 2761409 and rezoning Official Tax No. 2761409 from RS-3, Residential Single Family, Low Density District, to C-2, General Commercial District; and rezoning Official Tax No. 2761421 from RS-3, Residential Single-Family, Low Density District, to C-2, General Commercial District, subject to certain conditions proffered by the petitioner.

O. 130

- b. A resolution establishing the date of a Special Meeting of the Council of the City of Roanoke on May 13, 2002, at 2:00 p.m., in the City Council Chamber.

R. 133

10. MOTIONS AND MISCELLANEOUS BUSINESS:

- a. Inquiries and/or comments by the Mayor, Vice-Mayor and Members of City Council.
- b. Vacancies on various authorities, boards, commissions and committees appointed by Council.

11. CITY MANAGER COMMENTS:

12. HEARING OF CITIZENS UPON PUBLIC MATTERS:

REQUESTS TO ADDRESS COUNCIL.

CITY COUNCIL SETS THIS TIME AS A PRIORITY FOR CITIZENS TO BE HEARD. IT IS ALSO A TIME FOR INFORMAL DIALOGUE BETWEEN COUNCIL MEMBERS AND CITIZENS. MATTERS REQUIRING REFERRAL TO THE CITY MANAGER WILL BE REFERRED IMMEDIATELY FOR ANY NECESSARY AND APPROPRIATE RESPONSE, RECOMMENDATION OR REPORT TO COUNCIL.

CERTIFICATION OF CLOSED SESSION.

**CITY OF ROANOKE
OFFICE OF THE MAYOR**

215 CHURCH AVENUE, S.W., ROOM 452
ROANOKE, VIRGINIA 24011-1594
TELEPHONE: (540) 853-2444
FAX: (540) 853-1145

RALPH K. SMITH
Mayor

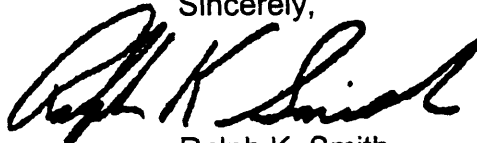
May 6, 2002

The Honorable Vice-Mayor and
Members of the Roanoke City Council
Roanoke, Virginia

Dear Members of Council:

I would like to request a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended.

Sincerely,

A handwritten signature in black ink, appearing to read "Ralph K. Smith", written in a cursive style.

Ralph K. Smith
Mayor

RKS:sm



May 6, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Request for a Closed Meeting

This is to request that City Council convene a closed meeting to discuss the disposition of publicly-owned property, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Section 2.2-3711.A.3, Code of Virginia (1950), as amended.

Sincerely,

Darlene L. Burcham
City Manager

DLB:ca

C: Mary F. Parker, City Clerk
Jesse A. Hall, Director of Finance
William M. Hackworth, City Attorney

CITY OF ROANOKE
DEPARTMENT OF FINANCE
215 Church Avenue, S.W. Room 461
P.O. Box 1220
Roanoke, VA 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-2940

April 30, 2002

TO: Mary F. Parker, City Clerk

FROM: Jesse A. Hall, Director of Finance 

SUBJECT: Reservation of Space

Please reserve space on the May 6th agenda for a thirty (30) minute briefing of City Council during the work session for the following:

Restatement of the Pension Plan

JAH:g

6444

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION memorializing the late Willis M. "Wick" Anderson, a former mayor of the City of Roanoke.

WHEREAS, the members of Council learned with sorrow of the passing of Mr. Anderson on Tuesday, April 23, 2002; and

WHEREAS, Mr. Anderson was a graduate of Roanoke College and of the School of Law at Washington and Lee University; and

WHEREAS, Mr. Anderson served in the U.S. Army JAG Corps for two years and, upon returning to Roanoke, began his profession as a local attorney; and

WHEREAS, Mr. Anderson was employed as General Counsel for Shenandoah Life Insurance Company for 25 years; and

WHEREAS, Mr. Anderson was elected to City Council in 1958 at age 29; served as the youngest mayor of the City of Roanoke from 1960 to 1962; and, during his service, was involved with projects such as improvements to Roanoke's airport, the opening of a new juvenile detention home, and construction of the Roanoke Civic Center; and

WHEREAS, Mr. Anderson was first elected to the Virginia House of Delegates in 1963 and served for four terms, during which time he sponsored legislation to help create Virginia Western Community College; and

WHEREAS, Mr. Anderson served for eight years on the State Board of Elections; and

WHEREAS, Mr. Anderson was a past president of both the Roanoke Symphony Society and Kiwanis Club of Roanoke; and

WHEREAS, Mr. Anderson was an organizing director of Mill Mountain Theatre, and served on its board for 25 years; and

WHEREAS, Mr. Anderson was a board member at various times for every organization in Center in the Square; and

WHEREAS, for the past nine years, Mr. Anderson chaired the Board of Commissioners of the Roanoke Redevelopment and Housing Authority; and

WHEREAS, at the time of his death, Mr. Anderson was a trustee of Greater Roanoke Valley Development Foundation and a director of Virginia's Explore Park.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. City Council adopts this resolution as a means of recording its deepest regret and sorrow at the passing of Willis M. "Wick" Anderson, and extends to his family its sincerest condolences.
2. The City Clerk is directed to forward an attested copy of this resolution to Mr. Anderson's cousin, Gerry Keister, of Roanoke, Virginia.

ATTEST:

City Clerk

REGULAR WEEKLY SESSION-----ROANOKE CITY COUNCIL

April 1, 2002

12:15 p.m.

The Council of the City of Roanoke met in regular session on Monday, April 1, 2002, at 12:15 p.m., the regular meeting hour, in the City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, Virginia, with Mayor Ralph K. Smith presiding, pursuant to Chapter 2, Administration, Article II, City Council, Section 2-15, Rules of Procedure, Rule 1, Regular Meetings, Code of the City of Roanoke (1979), as amended.

PRESENT: Council Members William White, Sr., W. Alvin Hudson, Jr., Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith-----6.

ABSENT: Council Member C. Nelson Harris-----1.

OFFICERS PRESENT: Darlene L. Burcham, City Manager; William M. Hackworth, City Attorney; Jesse A. Hall, Director of Finance; and Mary F. Parker, City Clerk.

COMMITTEES-CITY COUNCIL: A communication from Mayor Ralph K. Smith requesting that Council convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the Mayor to convene in a Closed Meeting to discuss vacancies on various authorities, boards, commissions and committees appointed by Council, pursuant to Section 2.2-3711 (A)(1), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, White, Carder, Bestpitch and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

PURCHASE/SALE OF PROPERTY-CITY MANAGER-CITY COUNCIL: A communication from the City Manager requesting a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Hudson moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711(A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, White, Carder, Bestpitch and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

CITY MANAGER-CITY COUNCIL: A communication from the City Manager requesting that Council convene a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Manager to convene in a Closed Meeting to discuss acquisition of real property for public purpose, where discussion in open meeting would adversely affect the bargaining position or negotiating strategy of the City, pursuant to Section 2.2-3711 (A)(3), Code of Virginia (1950), as amended. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, White, Carder, Bestpitch and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

CITY ATTORNEY-CITY COUNCIL: A communication from the City Attorney requesting that Council convene in a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended, was before the body.

Mr. Carder moved that Council concur in the request of the City Attorney to convene in a Closed Meeting to consult with legal counsel on a matter of probable litigation, pursuant to Section 2.2-3711 (A)(7), Code of Virginia (1950), as amended. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

At 12:17 p.m., the Mayor declared the meeting in recess to be immediately reconvened in Room 159, Noel C. Taylor Municipal Building South.

At 12:25 p.m., the Council meeting reconvened in Room 159, Emergency Operations Center Conference Room, for discussion regarding the roles and responsibilities of Council-Appointed and certain Constitutional Officers.

CITY CHARTER-CITY MANAGER-DIRECTOR OF FINANCE-CITY ATTORNEY-CITY CLERK-MUNICIPAL AUDITOR-REAL ESTATE VALUATION-CITY TREASURER-COMMISSIONER OF REVENUE: The City Manager called attention to a previous discussion by Council regarding City Charter amendments at its November 19, 2001 Council meeting, in connection with reporting responsibilities of the Director of Finance, at which time it was suggested that the matter be referred to the Council's Financial Planning Session for further discussion, along with discussion regarding the roles and responsibilities of other Council-Appointed Officers. At that time, she advised that City staff was requested to conduct a survey of other cities in the Commonwealth of Virginia in regard to reporting responsibilities of Council-Appointed positions, budgets, and Offices of Management and Budget. As City staff was preparing for the Financial Planning Session in March, 2002, she noted that a memorandum was sent to Council suggesting that the topic did not fall into the category of items typically discussed at a Financial Planning Session, and Council was requested to defer discussion until another date; therefore, the matter was currently before Council for discussion.

The City Manager explained that a request was made that the two Constitutional Offices having financial-related responsibilities, the City Treasurer and the Commissioner of the Revenue, also be included in the study in regard to financial reporting; and appropriate Constitutional Office's and each Council-Appointed Officer were requested to provide information regarding their respective duties and responsibilities, along with a departmental organization chart. She stated that no specific action is requested of the Council today; however, discussion will provide Council with an opportunity to ask questions and to gain a better understanding of the various roles and responsibilities of Council-Appointed and certain Constitutional Officers.

Mr. White advised that the majority of Council is not interested in changing the reporting relationships or responsibilities of Council-Appointed Officers at this time. From his discussions with the majority of Council Members, he stated that it is believed that such discussions are more of a detraction to transacting City business and proposed, after today, that there be no further discussion of the matter until there is a majority of Council that is in favor of enacting changes. He added that if Council Members would like more information on duties and responsibilities of Constitutional Officers, they may confer directly with the appropriate Constitutional Officer.

Mr. Hudson advised that he did not understand how Constitutional Offices were brought into the discussion, since Constitutional Officers are elected by the citizens of the City of Roanoke.

The Mayor advised that the session could be used as a learning experience in order for Council to ask questions and to gain a better understanding of the roles and responsibilities of Council-Appointed Officers and Constitutional Officers, and he would like to call upon the Council-Appointed Officers and Constitutional Officers in attendance for remarks.

Vice-Mayor Carder advised that he initially brought the matter forth for discussion on behalf of himself and certain members of the business community because of the appearance of redundancy in financial reporting and to achieve the necessary efficiencies in conducting City business. However, he stated that if the majority of Council is not in favor of enacting changes, the matter could be addressed by a future Council.

The Mayor called upon the City Attorney for remarks; whereupon, Mr. Hackworth advised that the roles and responsibilities of the City Attorney's Office are clearly defined by the Roanoke City Code and the City Charter. He stated that a challenge of the City Attorney's Office is in regard to representing the different clients – School Board, City Manager, School Superintendent, Municipal Auditor, etc.; another major challenge is the specialized nature of legal matters and it is difficult to be an expert in all areas of law, therefore, it is sometimes necessary to seek outside legal counsel in specialized areas. He referred to the different financial responsibilities of the Director of Finance, the City Treasurer and the Commissioner of the Revenue, although the responsibilities appear to be divided properly; and noted that some localities have held referendas affording citizens the opportunity to vote on the question of retaining or abolishing Constitutional Offices, many of which have not been successful. He stated that the current financial reporting arrangement appears to work, and there are not a lot of turf issues; however, from a public perspective, the current arrangement could be confusing.

The City Treasurer advised that the system of checks and balances currently in place is healthy for a number of reasons because without such checks and balances, the City could set itself up for potential problems. He called attention to an excellent working relationship between the City Treasurer's Office, the Municipal Auditor and the Director of Finance; however, the City of Roanoke, as an organization, needs to improve technology thereby enabling those offices with financial reporting responsibilities to better communicate with each other. He advised that the real estate computer program, which is over 20 years old, is in need of improvements and should provide a way to enable the Office of City Treasurer, Commissioner of the Revenue, and Director of Real Estate Valuation to communicate with each other on the same property. He stated that staff of the three offices should work more closely with each other and there is a turf problem to a certain degree.

There was discussion in regard to a centralized billing/collection system for all real estate taxes, personal property taxes, vehicle decals, and water/sewer utilities, etc.; and the feasibility of monthly billing for water/sewer utilities and real estate taxes.

The City Manager called attention to major technology needs of the City of Roanoke, not only in the area of real estate, but the overall financial and payroll systems, and the need for enhancements to the City's computer main frame and capabilities. She stated that a number of efficiencies are needed which will involve a major expenditure by the City.

A suggestion was made that Council-Appointed Officers/Constitutional Officers be invited to submit recommendations for improving efficiencies in their respective departments, while continuing to maintain their individual turfs.

The Mayor suggested that cost estimates and demonstrations be provided to Council during fiscal year 2002-03 budget study with regard to technology enhancements to the real estate tax computer program.

The Director of Real Estate Valuation advised that the City's real property evaluation/tax system is fragmented, and the Office of Real Estate Valuation recently purchased a new real estate appraisal system which will be housed in the Commissioner of Revenue's Office since the two offices share numerous processes and in order to create a common data base. He stated that it is important that the offices work together and to use technology for greater efficiencies in operation and cooperation. He added that his office works well with the Offices of Commissioner of the Revenue and City Treasurer; however, current processes are cumbersome and hinder the transaction of business.

There was further discussion as to whether the City has the capability of researching the status of all bills owed to the City by a citizen via one computer application as opposed to researching multiple locations, thereby offering a method to interface systems.

The City Clerk advised that the Department of Technology has done an outstanding job in working with the City Clerk's Office with regard to implementing new computer programs that were recently initiated in the Clerk's Office.

The Municipal Auditor called attention to improvements in technology; however, it will take time for the City of Roanoke to come on line. He stated that all Council-Appointed and Constitutional Officers are conscious of doing the best job possible for the citizens of Roanoke.

The Mayor spoke in support of future meetings of Council-Appointed and Constitutional Officers to engage in dialogue on City government efficiencies. Without objection by Council, he advised that he would like to initiate future meetings involving Council-Appointed Officers and all Constitutional Officers to discuss their ideas for efficiencies.

There being no further discussion, the Mayor declared the meeting in recess at 1:40 p.m., to be reconvened at 2:00 p.m., in the City Council Chamber. He advised that Council would immediately convene in Closed Session in the City Council's Conference Room.

At 2:00 p.m., the regular meeting of City Council reconvened in the Roanoke City Council Chamber, fourth floor, Noel C. Taylor Municipal Building, 215 Church Avenue, S. W., City of Roanoke, with the following Council Members in attendance, Mayor Smith presiding.

PRESENT: Council Members William White, Sr., W. Alvin Hudson, Jr., Linda F. Wyatt, William D. Bestpitch, William H. Carder and Mayor Ralph K. Smith-----6.

ABSENT: Council Member C. Nelson Harris-----1.

The reconvened meeting was opened with a prayer by The Reverend Jeffrey Doremus, Minister of Leadership and Family Life, First Baptist Church.

The Pledge of Allegiance to the Flag of the United States of America was led by Mayor Smith.

PRESENTATIONS AND ACKNOWLEDGEMENTS:

PROCLAMATIONS: The Mayor presented a proclamation declaring Saturday, April 6, 2002, as Tartan Day; and the month of April 2002 as Scottish American History and Heritage Month.

PROCLAMATIONS-COMMUNITY PLANNING: The Mayor presented a proclamation declaring April 1 - 7, 2002, as Community Development Week.

CONSENT AGENDA

The Mayor advised that all matters listed under the Consent Agenda were considered to be routine by the Members of Council and would be enacted by one motion in the form, or forms, listed on the Consent Agenda, and if discussion was desired, that item would be removed from the Consent Agenda and considered separately.

MINUTES: Minutes of the regular meetings of Council held on Tuesday, February 19, 2002, and Monday, March 4, 2002, were before the body.

Mr. Hudson moved that the reading of the minutes be dispensed with and that the minutes be approved as recorded. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

STREETS AND ALLEYS: A communication from the City Manager advising that Section 30-14, Code of the City of Roanoke (1979), as amended, provides that streets and alleys in the City of Roanoke may be altered or vacated on motion of Council, or on application of any person, in accordance with Section 15.1-364, Code of Virginia (1950), as amended; whereupon, she requested that she be authorized to file an application with the City Clerk to vacate, discontinue and close a portion of Mason Mill Road, N. E., was before the body.

Mr. Hudson moved that Council concur in the request of the City Manager. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

COMMITTEES-AUDIT COMMITTEE: Minutes of the meeting of the Audit Committee held on Monday, March 4, 2002, were before Council.

The following matters were discussed by the Audit Committee:

**Sheriff Canteen and Jail Inmate Funds
APA Clerk of Circuit Court
Performance Audits pertaining to Fire/EMS, Alright
Parking, Solid Waste Management
Critical Data Applications, City Leases and Planning and
Zoning
Special Investigation regarding payroll
Update on the Audit Department's Website**

Mr. Hudson moved that the minutes of the Audit Committee be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

COMMITTEES-LIBRARIES: A report of qualification of Stanley G. Breakell as a member of the Roanoke Public Library Board for a term ending June 30, 2002, was before Council.

Mr. Hudson moved that the report of qualification be received and filed. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

REGULAR AGENDA

SCHOOLS: On June 30, 2002, the terms of office of Charles W. Day and Brian J. Wishneff as Trustees of the Roanoke City School Board will expire; and the following persons applied for the vacancies prior to the deadline on Friday, March 8, 2002:

**James P. Beatty
Robert H. Bird
Carl D. Cooper
Edward Garner
William H. Lindsey
William E. Skeen
Robert J. Sparrow**

Pursuant to Chapter 9, Education, Section 9-20, Selection of Candidates for Public Interview, Code of the City of Roanoke (1979), as amended, on or before April 20 of each year, Council must select those persons to be accorded the public interview for the position of Roanoke City School Board Trustee; whereupon, the matter was before the body.

The selection process provides that the number of applicants to the afforded the interview shall not exceed three times the number of vacancies on the School Board, should there be so many applicants.

Mr. White moved that the following persons be afforded the public interview on Thursday, April 18, 2002, said interviews to commence at 4:30 p.m., in the City Council Chamber:

**Carl D. Cooper
Edward Garner
William Lindsey
William E. Skeen
Robert J. Sparrow**

The motion was seconded by Mr. Hudson and adopted.

PUBLIC HEARINGS: None.

PETITIONS AND COMMUNICATIONS:

BUDGET-COMMONWEALTH'S ATTORNEY-GRANTS: A communication from the Commonwealth's Attorney advising that the Department of Criminal Justice Services (DCJS) has awarded the City of Roanoke a grant in the amount of \$174,014.00 for the calendar years 2002-2003; the Grant for VIRGINIA EXILE in 2002-2003 will continue to provide the City of Roanoke with additional funding resources to maintain the Commonwealth's emphasis on prosecuting violent gun carriers in the City; and the EXILE Grant relates to State laws enacted in 1999 which set minimum mandatory sentences for convicted felons who possess guns, individuals who possess guns while possessing drugs, and people who bring guns onto school property with the intent to use them, was before Council.

It was further advised that the City of Roanoke would use the funds to target those persons who illegally possess and use firearms and to reduce the number of violent firearms crimes in the City of Roanoke, which goal will be achieved through a unified effort of City, State, and Federal prosecutors and law enforcement agencies; and VIRGINIA EXILE funding will continue at least through 2003, and re-application for funding will be required before December 31, 2003.

It was explained that VIRGINIA EXILE in the City of Roanoke would continue to fund an experienced prosecutor to oversee charges that arise from Virginia EXILE legislation; additionally, funding was approved to hire an Administrative Assistant to assist the EXILE Prosecutor; funding will also be applied to office materials, equipment, and a public awareness campaign; the grant requires a cash match; and in order to implement the VIRGINIA EXILE campaign in the City of Roanoke for fiscal year 2002-2003, the City would need to provide local matching funds in the amount of \$17,401.00 from Account No. 001-300-1210-2041.

The Commonwealth's Attorney recommended that Council adopt a resolution accepting 2002-2003 DCJS funds and authorize the City Manager to execute the requisite Grant Agreement, Funding Approval, and any other forms required by DCJS on behalf of the City in order to accept such funds, said agreement and forms to be approved as to form by the City Attorney; appropriate \$174,014.00 to accounts in the Grant Fund to be established by the Director of Finance and in accordance with State grant requirements and establish a grant fund revenue estimate; and transfer funds in the amount of \$17,401.00 from Office of Communications, Account No. 001-300-1210-2041, to Transfer to Grant Fund, Account No. 001-250-9310-9535.

The City Manager submitted a communication concurring in the recommendation of the Commonwealth's Attorney.

Mr. Hudson offered the following emergency budget ordinance:

(#35782-040102) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Grant Funds Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 483.)

Mr. Hudson moved the adoption of Ordinance No. 35782-040102. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

Mr. Carder offered the following resolution:

(#35783-040102) A RESOLUTION accepting the Virginia EXILE Grant offer made to the City by the Department of Criminal Justice Services and authorizing execution of any required documentation on behalf of the City.

(For full text of Resolution, see Resolution Book No. 65, page 485.)

Mr. Carder moved the adoption of Resolution No. 35783-040102. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

BUDGET-FIRST CITIES COALITION: Vice-Mayor Carder advised that the following Virginia cities make up the First Cities Coalition: Charlottesville, Danville, Fredricksburg, Hampton, Hopewell, Lynchburg, Newport News, Norfolk, Petersburg, Portsmouth, Richmond, Roanoke, Staunton and Winchester. He further advised that all of the above referenced cities have similarities in terms of aging infrastructure, inequities in State funding, reimbursement of funds for streets, Standards of Quality, etc., and are landlocked and fiscally stressed. He stated that the priorities of the First Cities Coalition are that the State should provide strong incentives for cities through redevelopment and reinvestment (example: if the same types of incentives that were offered for new development by Roanoke County were available to the City of Roanoke, the City could save millions of dollars in connection with the South Jefferson Redevelopment Plan, therefore, the State should look at the re-use of urban areas as an incentive); the State should re-balance service necessities and funding resources to cities; and the State should develop an urban policy.

The City Manager advised that the City of Roanoke was one of the original charter members of the First Cities Coalition, and several years ago the City was energized over redevelopment issues and the belief that older urban communities were not receiving fair treatment, particularly by the General Assembly regarding how to deal with some of the common problems of urban areas. She stated that the number of cities participating in the First Cities Coalition has increased to 14, with the possibility of adding a 15th city, and it is becoming more obvious that the older urban communities need to pool their resources. She advised that the Policy Committee of the First Cities Coalition which involved elected officials met in January, and supported the following four initiatives: (1) unanimously agreed to

support legislation that involved increased revenues for legislation and transportation, (2) agreed to engage in an active pursuit in educating citizens about where the decisions are being made (i.e. the General Assembly), (3) requested a special session of the General Assembly to look at tax restructuring in terms of service priorities and funding resources, and (4) to review the idea of pursuing all possible remedies and options, including legal remedies.

Vice-Mayor Carder advised that a press conference was held last week by the First Cities Coalition in Richmond, Virginia, to respond to the proposed State budget cuts and the sense of urgency experienced by localities in regard to budget issues.

The City Manager explained that the State budget is facing a \$2.4 billion shortfall, which shortfall was addressed as follows:

Local government cuts - \$ 525M
Higher education cuts - \$ 290M
State agency cuts and tax increase - \$ 890M
One time revenues and transfers - \$ 700M

The Vice-Mayor advised that the State's budget applies to not only the year 2002, but years 2003 and 2004 and there is a strong sense of urgency for the General Assembly to reconvene in September to address funding inequities. He called attention to an organization known as the Northern Virginia Round Table which consists of approximately 100 of the most senior executives of businesses throughout northern Virginia representing technology companies, retail, financial institutions, professional service firms, etc., and at a recent meeting it was stated that the Commonwealth of Virginia cannot meet its responsibilities to provide critical and necessary State services for the overall public good of its citizens, and the Northern Virginia Round Table believes that there is an urgency that something needs to be done.

Taking the cuts to the local level, the City Manager advised that the funding reduction to the City of Roanoke is approximately \$1.3 million in alcoholic beverage/wine tax, House Bill 599 law enforcement funding, funding for Constitutional Officers and a significant reduction in funding of the Juvenile Justice and Office on Youth programs. She added that this \$1.3 million equates to 33 full time positions in the City of Roanoke organization.

Vice-Mayor Carder called attention to State legislation which exempts the Commonwealth of Virginia from law suits by Constitutional Officers in connection with budget cuts; however, that same legislation does not exempt cities from law suits.

The City Manager reviewed local options and strategies: i.e.: increased taxes and/or increased fees, eliminate or modify service delivery, or eliminate positions. She advised that it has been her goal as City Manager, if positions need to be eliminated, to hold harmless those individuals serving in the positions and transfer those employees to other positions within City government. She stated that a new approach to tax structuring as related to localities is needed, along with a revised funding formula.

Until Council receives the proposed fiscal year 2002-03 City budget, Mr. White advised that Council is not in a position to discuss the budget because to do so is placing the City's position and strategy in front of the proposed budget. In addition, he called attention to past State funding difficulties in which the City worked with its delegation to the General Assembly to address funding inequities, and asked that the City not come on so strong that the good relationships of the past are potentially destroyed.

Mr. Bestpitch expressed concern with regard to tax restructuring throughout the entire Commonwealth of Virginia, and advised that the real issue is whether or not the citizens of the Commonwealth are going to demand that the tax system be structured so as to fund the Standards of Quality, to provide funds for public safety, and to deliver the type of services that citizens have come to expect throughout the entire Commonwealth of Virginia. He explained that citizens must be made to understand that if these issues are to be addressed, citizens of the Commonwealth of Virginia and the City of Roanoke must let their voices be heard in Richmond by insisting that a new tax structure be implemented, and the City Manager and the Vice-Mayor are trying to impress upon Council and the citizens of the City of Roanoke that the focus of attention should be on the issue of tax restructuring for the entire state.

In summary, the City Manager referred to these issues that the First Cities Coalition addressed at its meeting on March 28, 2002; i.e.: a new tax structure that provides net new revenue to localities for education, transportation, public safety and other issues; and a new urban policy that does not treat urban communities to a disadvantage as is presently the case because of the level of service that urban communities provide. She explained that these are not quick fixes, but in some instances, have been periodically studied for the last 15 - 20 years, more than enough studies are currently on the table, and legislative action is required.

Ms. Wyatt advised that no citizen wants to pay more taxes; however, the Commonwealth of Virginia ranks about 12th in the United States in per capita income and 46th in overall tax burden; therefore, in order to have the services that citizens want, they must be willing to pay the price. She stated that the reality is that the Commonwealth of Virginia does not have the wherewithal to make up the gap that has continually grown and we, as a community and a state, must come to grips insofar as paying our fair share for the services we want.

REPORTS OF OFFICERS:

CITY MANAGER:

BRIEFINGS: None.

ITEMS RECOMMENDED FOR ACTION:

APPALACHIAN POWER COMPANY-BUDGET-STREET LIGHTS-RNDC: The City Manager submitted a communication advising that Phase II of infrastructure improvements to the Greater Gainsboro Redevelopment Area consists of construction of improvements including water, sanitary sewer, storm drainage, curb and sidewalk, paving, landscaping and associated work within the Greater Gainsboro Redevelopment Area; and pursuant to Council's request, plans were provided to Charles Price, representing the Roanoke Neighborhood Development Corporation (RNDC), on Thursday, March 21, 2002, who provided minor comments which will be addressed by increasing the number of trees and providing additional sidewalk to the contract during construction.

It was further advised that after proper advertisement, four bids were received on Tuesday, January 8, 2002, with Breakell, Inc., submitting the low bid in the amount of \$496,183.93 and a construction time of 120 consecutive calendar days; the City and Appalachian Power Company, d/b/a American Electric Power (AEP), have entered into a Street Lighting Agreement dated July 1, 1995, concerning the provision by AEP to the City of street lights and associated electrical current for the lights; and in accordance with the Street Lighting Agreement and negotiations with AEP, AEP will provide the appropriate street lights and electrical work for Phase II of the Greater Gainsboro Infrastructure Improvements for \$350,000.00.

It was explained that the infrastructure improvement project is being constructed in three phases; the entire project, including estimated costs for Phase III, remain within the adopted capital project budget of \$3,426,282.00; proposed funding from available balances in several capital project accounts is being used to fund AEP improvements which are ineligible for CDBG funds due to wage rate restrictions; funding in the amount of \$895,802.00 is needed for the project; additional funds that exceed the contract amount will be used for lighting and electrical costs, as well as miscellaneous project expenses, including advertising, prints, test services, minor variations in bid quantities and unforeseen project expenses; and funding in the amount of \$895,802.00 is available in CDBG accounts, Greater Gainsboro Infrastructure, Gainsboro Library, Environmental Issues, Precision Technology, Peters Creek Road Street Light, 50/50 Curb, Gutter, Sidewalk, Williamson Road Improvements, and Capital Reserve-Buildings.

The City Manager recommended that Council accept the bid of Breakell, Inc., in the amount of \$496,183.93, with 120 consecutive calendar days of contract time; reject all other bids received by the City; appropriate or transfer funds in the amount of \$148,901.00 to Capital Projects Fund, Account No.008-410-9625, Greater Gainsboro Infrastructure; CDBG funds in the amount of \$535,841.00 have been appropriated to the proper accounts, for a total of \$895,802.00; and authorize the City Manager to execute the necessary documents or agreements in connection with the Street Lighting Agreement dated July 1, 1995, with Appalachian Power Company, in order for AEP to provide appropriate street lights and associated electrical work for Phase II of the Greater Gainsboro Infrastructure Improvements in the amount of \$350,000.00.

Mr. Carder offered the following emergency budget ordinance:

(#35784-040102) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Capital Projects Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 486.)

Mr. Carder moved the adoption of Ordinance No. 35784-040102. The motion was seconded by Ms. Wyatt and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

Ms. Wyatt offered the following emergency ordinance:

(#35785-040102) AN ORDINANCE accepting the bid of Breakell, Inc., for the construction of improvements, including water, sanitary sewer, storm drainage, curb and sidewalk, paving, landscaping and associated work, within the Greater Gainsboro Redevelopment Area in connection with Phase II of the Infrastructure Improvements to the Greater Gainsboro Redevelopment Area Project, upon certain terms and conditions and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such work; rejecting all other bids made to the City for the work; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 488.)

Ms. Wyatt moved the adoption of Ordinance No. 35785-040102. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

Ms. Wyatt offered the following emergency ordinance:

(#35786-040102) AN ORDINANCE authorizing the City Manager to execute any necessary documents or agreements in connection with the Street Lighting Agreement between the City and Appalachian Power Company, d/b/a American Electric Power (AEP), dated July 1, 1995, in order for AEP to provide the appropriate street lights and associated electrical work for Phase II of the Infrastructure Improvements to the Greater Gainsboro Redevelopment Area Project; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 489.)

Ms. Wyatt moved the adoption of Ordinance No. 35786-040102. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

At 2:50 p.m., the meeting was declared in recess for continuation of a Closed Session which was previously approved by Council.

At 3:20 p.m., the Council meeting reconvened in the City Council Chamber.

STATE HIGHWAYS-STREETS AND ALLEYS: The City Manager submitted a communication advising that Section 33.1 – 41.1, Code of Virginia 1950, as amended, establishes eligibility criteria of localities for receiving funds from the Virginia Department of Transportation (VDOT) for street maintenance; State Code also specifies two functional classifications of roadways (Principal/Minor Arterials and

Collector/Locals) and establishes a base payment rate per lane mile for each classification or roadway; and rates are adjusted annually by VDOT based upon a statewide maintenance index of unit costs for labor, equipment and materials used by VDOT on roads and bridges.

It was further advised that City eligibility for fiscal year 2001-2002 is approximately \$8,773,218.00 in street maintenance payments from VDOT, which funds are used for eligible maintenance expenditures that the City incurs for streets, sidewalks, curb and gutter, traffic signals, bridges, signs and pavement markings; City staff has developed a list of streets to be submitted to VDOT to enable eligibility payment in the next fiscal year; and approval of additions to the street inventory is expected to increase street maintenance payments to the City by approximately \$11,564.00 at current year payment rates.

The City Manager recommended that she be authorized to submit a list of streets to the Virginia Department of Transportation for approval by the Commonwealth Transportation Board to enable State Maintenance Payment eligibility.

Mr. Bestpitch offered the following resolution:

(#35787-040102) A RESOLUTION authorizing the City Manager to submit a street inventory for State maintenance payment eligibility to the Virginia Department of Transportation (VDOT), upon forms prescribed by VDOT for approval by the Commonwealth Transportation Board, in order to ensure the City's eligibility for State maintenance funds.

(For full text of Resolution, see Resolution Book No. 65, page 490.)

Mr. Bestpitch moved the adoption of Resolution No. 35787-040102. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

BUDGET-DRUGS/SUBSTANCE ABUSE-FDETC: The City Manager submitted a communication advising that the Fifth District Employment and Training Consortium (FDETC) administers the Federally funded Workforce Investment Act (WIA) for the region, which encompasses the Counties of Alleghany, Botetourt, Craig, Franklin and Roanoke, as well as the Cities of Covington, Roanoke, and Salem; and WIA funding is for two primary client populations:

dislocated workers who have been laid off from employment through no fault of their own, and

economically disadvantaged individuals as determined by household income guidelines established by the U. S. Department of Labor.

It was further advised that the City of Roanoke is the grant recipient and fiscal agent for FDETC funding, and Council must appropriate funding for all grants and other monies received by the Consortium.

It was explained that an agreement between the Fifth District Employment and Training Consortium (FDETC) and Family Service of Roanoke Valley dated January 2001, to provide services for Drug Court referrals is being amended as follows: The agreement is extended for an additional period of six months beginning January 1, 2002, and continuing through June 30, 2002. During this period, the Agency (Family Services of Roanoke Valley) agrees to continue to pay the Service Provider (FDETC) a fixed sum of \$937.50 per month. This rate is based on an expected average of 45 offenders served per year. All other provisions of the Agreement, dated January 1, 2001, and amended July 1, 2001, shall remain in effect. The additional funding will be \$5,625.00.

The City Manager recommended that she, or Council's appointee to the Policy Board of the Fifth District Employment and Training Consortium, be authorized to execute the agreement and any necessary amendments thereto with Family Service of Roanoke Valley; and that Council appropriate FDETC funding totaling \$5,625.00 and increase the revenue estimate by \$5,625.00 in accounts to be established in the Consortium Fund by the Director of Finance.

Mr. Bestpitch offered the following emergency budget ordinance:

(#35788-040102) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Consortium Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 491.)

Mr. Bestpitch moved the adoption of Ordinance No. 35788-040102. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

Mr. Bestpitch offered the following resolution:

(#35789-040102) A RESOLUTION authorizing the City Manager, or the City Council's appointee to the Policy Board of the Fifth District Employment and Training Consortium, to execute an amendment extending an existing agreement by an additional six months, with Family Service of Roanoke Valley.

(For full text of Resolution, see Resolution Book No. 65, page 492.)

Mr. Bestpitch moved the adoption of Resolution No. 35789-040102. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

POLICE DEPARTMENT-TRAFFIC-PROCUREMENT CODE : The City Manager submitted a communication advising that the City of Roanoke wishes to enter into a contractual agreement with a provider of an Automated Parking Ticket Issuance and Management System, which will contain the following primary features:

- A client based Parking Management System capable of recording all identified data elements relative to the City's current Parking Management Application.**
- Hardware identified as required for remote citation data collection, validation, and automated uploading.**
- Develop or assistance in the development of both front and backend interfaces to the City's current Cash Register Payment Processing system.**
- Parking Permit functionality based on standard needs assessment.**
- Open-ended data query process, which allows the user to easily address all reporting needs.**

It was further advised that although the sealed bid method of procurement would normally be used, it is not practicable or fiscally advantageous to the public in procuring the above described services; the experience, qualifications, and references of firms that can provide the above listed services are of equal, if not

greater, importance than the cost; issues of experience in development of a complete Parking Management solution, quality of reports, reputation of the software developer, and pricing advantages are of vast importance in the areas of services for the Police Department, Billings and Collections, and Department of Technology; additional issues, other than price, for the software design, platform, functionality, reliability, and adaptability to interfaces must be taken into account; and procurement of this system and software services must include a means to evaluate the quality of services to be provided in areas such as customer responsiveness, manpower allocation and financial management; therefore, the process of competitive negotiation using the request for proposal has been identified as the best method for procurement of the services.

It was explained that the Code of the City of Roanoke (1979), as amended, provides, as an alternate method of procurement to using the bid process, a process identified as “competitive negotiation;” and approval by Council is necessary before the alternate method may be used, which method will allow for negotiations with two or more providers to determine the best qualified at the most competitive price or rate.

The City Manager recommended that Council authorize the use of competitive negotiation as the method to secure vendors to provide appropriate services.

Mr. White offered the following resolution:

(#35790-040102) A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of Parking Ticket Issuance and Management system and software services; and documenting the basis for this determination.

(For full text of Resolution, see Resolution Book No. 65, page 493.)

Mr. White moved the adoption of Resolution No. 35790-040102. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

BUDGET-REFUSE COLLECTION-EQUIPMENT: The City Manager submitted a communication advising that it has been nine months since the reengineering of solid waste collection programs was completed; in the months that followed last summer's difficult transition period, City staff have done a good job of meeting their goals; and arrival of the spring season is expected to bring a growing volume of trash which will create greater demands on a collection system that continues to experience challenges due to the condition of the aging solid waste fleet of trucks.

It was further advised that Council's approval of last year's Capital Maintenance and Equipment Replacement Program (CMERP) included nine solid waste trucks; to date, Council has approved the lease-purchase of seven of these units, with delivery expected to occur between now and the end of July; bids were recently received for the remaining two trucks; breakdowns of existing trucks and the unreliable nature of the aging fleet has prompted staff to rent several trucks at a cost projected to reach \$119,000.00 by the end of the fiscal year, the cost of which had not been budgeted; rented trucks will be returned as new trucks are placed into service, which has caused expenditures in excess of the Solid Waste Division's budget; and there are several other trucks in the solid waste fleet for which replacement will be sought in the next CMERP.

It was noted that trash volumes are also on the increase; after the October, 2000 conversion from the former bulk and brush collection system to the new weekly collection system, quantities immediately began to increase, which volumes did not level off as anticipated; trash collected by solid waste crews is averaging nine per cent more than in last fiscal year; which is likewise causing tipping fee expenditures to exceed that which was budgeted for the current fiscal year; and this increase does not include recyclables that are collected in amounts far greater than the previous year; consequently, while the recyclables are generating savings in the form of cost avoidance, the total waste stream is creating costs estimated to reach \$239,965.00 in excess of that which was originally budgeted.

The City Manager advised that there were a number of locations identified where trash collection would change from the alley to curbside; as changes were implemented, many citizens complained that the change to curbside collection created a hardship for a variety of reasons; staff re-evaluated those situations and then reinstated portions of more than 50 alleys for alley collection, which resulted in the need for additional alley crews to be reinstated; the popularity of the recycling program also caused the need for one additional crew on Thursdays, and the number of Physically Challenged customers grew to a volume that also required an additional crew; additional crews were supplemented by temporary labor services, charges for which are expected to total \$334,147.00, funding for which was likewise not budgeted; and an additional \$4,439.00 was expended for advertising and publicity of changes to solid waste programs.

It was explained that historically, the Solid Waste Management budget has required supplemental funding near the end of the fiscal year due to the uncertainty of trash volumes and other related expenditures; in recent years, it has not been uncommon for the figure to be in the range of \$330,000.00; following last summer's transition period, Council was informed that solid waste costs were expected to remain within budget by virtue of cost avoidance in the recycling and leaf collection programs, as well as the use of lapse money for overtime expenditures used during the transition period; and at this time, given vehicle rental charges, increased tipping fees, and use of temporary labor, expenditures will exceed available funds within the budget by a projected total of \$697,471.00.

The City Manager noted that \$497,471.00 has been identified for appropriation into Solid Waste Management, Account No. 001-530-4210; an additional transfer closer to the end of the fiscal year will need to be brought to Council if financial projections for expenditures in excess of the current budget remain accurate; whereupon, the City Manager recommended that Council authorize appropriation of \$400,000.00 from Juvenile Detention Services, Account No. 001-121-2130-2008 and \$97,471.00 from Unappropriated CMERP, Account No. 001-3323, to the following line items in Solid Waste Management.

001-530-4210-1060	Contract Labor	\$181,793.00
001-530-4210-2010	Fees for Professional Services	\$311,239.00
001-530-4210-2015	Advertising	\$ 4,439.00
	Total	\$497,471.00

Mr. Carder offered the following emergency budget ordinance:

(#35791) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General Fund Appropriations, and providing for an emergency.

Mr. Carder moved the adoption of Ordinance No. 35791-040102. The motion was seconded by Mr. Bestpitch.

Mr. Hudson expressed concern with regard to the appropriation of additional funds, and advised that since revisions to the City's solid waste disposal program were initiated in July 2001, the City has spent thousands of dollars to make the program work. He stated that at the last Council meeting, a lease purchase arrangement was approved with Koch Financial Services to lease additional equipment for refuse collection; and today Council is being requested to approve another \$500,000.00 for solid waste disposal. He called attention to discussions regarding employee lay offs, City department managers have been instructed to reduce their budgets by five per cent, and yet the City can afford to spend thousands of dollars on a new solid waste program. He inquired as to the amount of funds

already expended by the City since July 1, 2001, on the new solid waste disposal program, and advised that the City of Roanoke is not living within its means, other large City projects should be addressed, and there is a perception that large sums of money are being allocated to the solid waste disposal program just to prove that it can be successful. He stated that he could not support the request for additional funds because the City has a responsibility to live within its means, especially in view of current difficult economic times.

Ms. Wyatt concurred in the remarks of Council Member Hudson, and added that it is difficult to be supportive of the revised solid waste disposal program and the addition of staff in the solid waste division, when other City departments have been instructed to cut back on positions. Additionally, she stated that the solid waste division is currently \$697,471.00 over budget in one year which has not been accounted for. She expressed concern with regard to the possibility of removing DARE officers from the schools, yet the City administration can recommend additional staff to collect refuse. For the above reason, she stated that she cannot support the City Manager's recommendation for additional funds in the solid waste management division.

In explanation, the City Manager advised that over the last four to five years, the City has averaged an additional appropriation to the solid waste division at this time of the year in the amount of approximately \$330,000.00 per year which has been caused by the inability to evaluate volumes of refuse. She stated that there are unprecedented volumes of trash and recyclables a result of the new program; and solid waste activities, including recycling, collection of white goods, bulk trash, leaf and limb removal collection and the traditional solid waste volumes have increased. She added that based upon current volumes and current expenditures, before year end it is estimated that the shortfall could be as high as \$697,000.00; however, a lesser appropriation is requested at this time in anticipation that volumes will drop off. She also explained that service was reinstated in 50 alleys as the new program unfolded and those adjustments influenced the number of crews and the frequency of collection.

There was discussion as to what would happen if additional funds are not appropriated by Council; whereupon, the City Manager advised that expenditures will occur unless the City stops collecting refuse or lays off employees. She stated that in overall ranking, after public safety and education, the next most important function performed by the City is solid waste collection and removal; and some citizens do not like the new system of trash collection, but the majority of citizens believe that Roanoke now has a cleaner community. She reiterated that it is not unusual at this time of the year to make adjustments within individual departmental budgets based upon estimates versus real experience; and expenses could be curtailed for the balance of the fiscal year, although that is not a desired alternative.

Vice-Mayor Carder advised that the additional appropriation appears to be justified based upon information provided by the City Manager in regard to bulk trash collection, the new recycling program and adjustments to alley collection. He spoke in support of discussing ways to address the need for additional funds in solid waste disposal during fiscal year 2002-03 budget study.

The Mayor suggested that procedures be reviewed to insure that department managers are knowledgeable with regard to projecting actual/estimated costs within their departments and the value of new equipment as opposed to repairing and/or maintaining older equipment. He stated that controls are needed for the future, and he will support the City Manager's request so as not to disrupt City operations.

Mr. White advised that the solid waste management program has been successful in cleaning up the City of Roanoke; however, the cost factor needs to be studied to insure that the true cost of operating the department is identified. He inquired as to the future impact of the nine new refuse collection vehicles.

The City Manager advised that the City is paying a significant amount of funds for the rental of trucks and manpower inasmuch as vehicles are leased from a private entity. She explained that used equipment was purchased when the City initiated the totter system; numerous maintenance problems have occurred, some of which may be due to the equipment, or the manner in which equipment is repaired. She stated that it is anticipated that there will be a significant reduction in over time and maintenance of vehicles, along with other cost savings as a result of no longer leasing trucks and manpower.

In view of current economic times, Ms. Wyatt questioned whether the City of Roanoke can afford to provide the refuse collection service at the same level.

Mr. Carder withdrew the motion to adopt the ordinance as an emergency measure and Mr. Bestpitch withdrew his second to the motion.

Mr. Carder moved that the following ordinance be placed upon its first reading:

(#35791) AN ORDINANCE to amend and review certain sections of the 2001-2002 General Fund Appropriations.

The motion was seconded by Mr. Bestpitch.

During further discussion of the matter, the City Manager advised that for some time the City has been supplementing the solid waste budget at this time of the year in excess of \$300,000.00; therefore, the proposed 2002-03 fiscal year budget, will include certain adjustments. Secondly, she advised that the fiscal year

2002-03 recommended budget for the City of Roanoke will be presented to Council on Monday, April 15, and as a part of budget study discussions, it would be appropriate for Council to review proposed modifications to the program, effective July 1, 2002. She explained that administrative expenses have been held back as a measure to insure that the City leaves the current fiscal year in sound financial condition as it prepares for fiscal year 2002-03; therefore, the City is in a position this year to identify funds to complete the year within its current level of service. She stated that the City has created an expectation in its citizens that it will provide a service by collecting certain articles on certain days of the week and there may be a misunderstanding at this point if a change is enforced without providing citizens with an opportunity for input. She added that a significant amount of the money has already been spent which indicates that the budget adjustment is necessary; and if Council would like a report on how to curtail expenses between April 15 and June 30, she will be prepared to make a recommendation to Council at its meeting on Monday, April 15, 2002.

In addition to the residential refuse collection service, it was noted that the City provides commercial service for solid waste pickup; whereupon, the City Manager advised that collection takes place two times per week in commercial areas, and collection occurs seven days a week in the Central Business District in downtown Roanoke at no additional charge, with the exception of those businesses that currently exceed the comparable to ten toters per week. She further advised that a recommendation for proposed adjustments will be included in the fiscal year 2002-03 budget inasmuch as this is an area where there is a significant discrepancy.

Ordinance No. 35791, on its first reading, was adopted by the following vote:

AYES: Council Members White, Bestpitch, Carder and Mayor Smith-----4.

NAYS: Council Members Hudson and Wyatt-----2.

(Council Member Harris was absent.)

CITY CODE-SIDEWALK/CURB AND GUTTER-BUDGET-FEE COMPENDIUM-STREETS AND ALLEYS-OUTDOOR DINING: The City Manager submitted a communication advising that a committee, composed of City staff, business leaders and Downtown Roanoke Inc. staff, reviewed and submitted recommendations to amend Section 30-9.1 of the City Code to allow restaurants to use the sidewalks, designated streets, and other public property in Roanoke's commercially zoned areas; current Section 30-9.1 of the City Code permits such activities in only the C-3, Central Business District; and following amendment and implementation of a new Permit Application, restaurants will be allowed to use portions of sidewalks throughout the City of Roanoke, specially designated streets and other public property for outdoor dining purposes; the committee evaluated and

addressed many issues and regulations surrounding outdoor dining, including ADA compliance, zoning, Alcoholic Beverage Control laws, health department issues, pedestrian safety, policing, trash collection, and traffic; such issues will be addressed in regulations promulgated by the City Manager, and the amended ordinance will include establishing new fees to be included in the Fee Compendium, which fees may need to be modified in the future to address increased or decreased expenditures in operation of the areas.

The City Manager further advised that the Board of Directors of Downtown Roanoke, Inc., (DRI) voted to approve Outdoor Dining ordinance changes and regulations on March 12, 2002.

The City Manager recommended that Council adopt an ordinance amending Section 30-9.1, Code of the City of Roanoke (1979), as amended, and amend the City's Fee Compendium accordingly.

Mr. Carder offered the following ordinance:

(#35792-040102) AN ORDINANCE amending, reordaining, and renaming §30-9.1, Sidewalk obstruction, Article 1, In general, Chapter 30, Streets and Sidewalks, of the Code of the City of Roanoke (1979), as amended, to provide for an outdoor dining permit program to be implemented within the City of Roanoke, and directing amendment of the Fee Compendium; and dispensing with the second reading by title of this ordinance.

(For full text of Ordinance, see Ordinance Book No. 65, page 495.)

Mr. Carder moved the adoption of Ordinance No. 35792-040102. The motion was seconded by Mr. Bestpitch.

The Mayor urged that the Farmer's Market be protected. He stated that if there is competition for selling time, a mediator should be engaged to insure that both sides are represented (farmers and restaurateurs), because both are important components to the City Market area. He asked that the City of Roanoke not lose the flavor of the Farmer's Market in its efforts to provide outdoor dining.

Ordinance No. 35792-040102 was adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent)

TRAFFIC-CITY CODE-DOWNTOWN ROANOKE, INCORPORATED-PARKING FACILITIES-RESIDENTIAL PARKING: The City Manager submitted a communication advising that in 1998, representatives of Downtown Roanoke, Inc., (DRI) and City of Roanoke staff met with downtown housing developers regarding the need for downtown residential parking; developers identified such parking as being critical to the success of downtown living, which led to a strategy by which downtown residents would be able to park free of charge in City-owned parking garages; Council approved the strategy on July 6, 1998, for a period of three years; as of July 2001, 18 residents were using the parking provision; and since that time, City staff and DRI have been evaluating parking strategy in conjunction with other measures to further improve downtown residential parking.

It was further advised that at Council's October 18, 2001 meeting, an ordinance was adopted that provided certain Roanoke neighborhoods with a process by which it is now possible to create parking permit areas to allow greater access to residents to on-street parking near their homes; to date, no applications have been made under the process; and on October 18, City staff indicated that those regulations were not designed to address residential parking in the downtown area.

It was explained that in seeking input from downtown residents, City staff learned that residents recognize that they do not have, nor are they likely to ever have, the benefit of a guaranteed parking space at their front doorstep; however, they do believe that there is a need to provide some parking benefits that would serve as an incentive for moving to and remaining in downtown; likewise, developers of downtown residences continue to seek some assurances that more opportunities for residents to park downtown are available; this is important to developers as an incentive to securing financing for residential projects; and residents identified the following issues that are important to their decision to move into and remain in downtown Roanoke:

- Increase the availability of parking or loading zones, especially between the hours of 6:00 a.m. and 6:00 p.m. This is viewed as particularly desirable for unloading items such as groceries in close proximity to their residences.
- Allow unrestricted parking in timed parking spaces for nights and weekends.
- Continue to allow free parking in City-owned parking garages for downtown residences.
- Provide for an enhanced feeling of security along the walking paths between residences and parking areas, as well as in the parking garages themselves.

In response to these issues, it was noted that City staff advised the residents that permit parking for areas could be established in strategically placed locations for use by residents purchasing a permit; while existing timed parking restrictions would remain in effect at those locations for use by vehicles without a permit (such as in 15 minute, 30 minute or one hour parking zones), the permitted vehicle would have the convenience of parking for a longer period of time (at any time of day) in any permit-parking zone as designated by the City Manager; and the program includes a \$5.00 fee per residential unit and a limit of one permit per licensed adult resident.

The City Manager advised that City staff also advised residents that the previous free parking program for residents in downtown parking garages could be reestablished, which provides residents with the option of 24-hour, uninterrupted parking, when the convenience of on-street parking is not necessary; and there will also be a need to continue to provide appropriate safety measures in the parking garages, as well as along the walking paths to and from residences; and reaction to the proposals has been generally supportive.

The City Manager recommended that Council adopt a resolution reestablishing a program to provide residents within the Downtown Service District with free parking in certain City-owned or City-controlled parking garages and authorize amendment to Division 2, Residential Parking Permits, Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, Code of the City of Roanoke (1979), as amended, to include the Downtown Service District as an eligible neighborhood in the residential parking permit program; and amend the City's Fee Compendium to provide for permit fees.

Mr. Carder offered the following emergency ordinance:

(#35793-040102) AN ORDINANCE amending Section 20-77 through and including 20-80 of Division 2, Residential Parking Permits, of Article IV, Stopping, Standing and Parking, Chapter 20, Motor Vehicles and Traffic, Code of the City of Roanoke (1979), as amended, amending the City's residential parking permit system; amending the City's Fee Compendium to establish certain fees for such permits; and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 500.)

Mr. Carder moved the adoption of Ordinance No. 35793-040102. The motion was seconded by Mr. Bestpitch.

Mr. Hudson referred to a communication from the owner of Fallon Florist located on Church Avenue, S. W., who expressed concern that enactment of the residential parking program will create a hardship on her business; whereupon, the City Manager advised that three businesses in the downtown area have cited

concerns in regard to the proposed ordinance. She explained that the concerns of Fallon Florist relate to tenants parking in the time limited spaces during the hours that the florist is open for business, and a concern that the loading zone area will be used by tenants for short trips to and from their apartments. She advised that the Director of Public Works will meet with the owner of Fallon Florist to address her concerns.

Vice-Mayor Carder called attention to overwhelming business support for the residential parking initiative in downtown Roanoke, and encouraged that City staff work with the owner of Fallon Florist and others to address concerns. He stated that the program is a compromise over what Downtown Roanoke, Inc., initially requested which was unlimited parking as is the case in many cities after business hours.

Ms. Wyatt suggested that residential parking be interspersed with business parking so as not to have a large block of spaces designated solely for residential parking; whereupon, the City Manager advised that the suggestion will be reviewed.

Ordinance No 35793-040102 was adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

Mr. Carder offered the following resolution:

(#35794-040102) A RESOLUTION establishing a program providing for free parking for certain downtown residents in certain City-owned or City-controlled parking garages as recommended by the City Manager's letter and attachment, dated April 1, 2002.

(For full text of Resolution, see Resolution Book No. 65, page 505.)

Mr. Carder moved the adoption of Resolution No. 35794-040102. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members White, Hudson Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

BUDGET-PURCHASE/SALE OF PROPERTY: The City Manager submitted a communication advising that on March 18, 2002, Council approved the purchase of three parcels of real estate described as Official Tax Nos. 1010409-1010411, inclusive, from Virginia Vaughan, represented by First Union Managed Properties; the City of Roanoke was offered first option to purchase the property for the appraised value of \$205,000.00; and funding is available in Transportation Fund retained earnings and needs to be appropriated by Council.

The City Manager recommended that Council appropriate \$205,000.00 from retained earnings in the Transportation Fund to an account to be established by the Director of Finance.

Mr. Carder offered the following emergency budget ordinance:

(#35795-040102) AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Transportation Fund Appropriations, and providing for an emergency.

(For full text of Ordinance, see Ordinance Book No. 65, page 506.)

Mr. Carder moved the adoption of Ordinance No. 35795-040102. The motion was seconded by Mr. Bestpitch and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(Council Member Harris was absent.)

(Council Member White left the meeting.)

SEWERS AND STORM DRAINS: The City Manager submitted a communication advising that the Virginia Department of Environmental Quality (DEQ) is requesting that the City of Roanoke enter into a Consent Order to resolve certain permit issues and exceedences regarding the operation of the City's Regional Water Pollution Control Plant; the Consent Order contains dates for submission of reports and requirements to complete infrastructure improvements, and provides regulatory relief with regard to certain requirements until the existing Water Pollution Control Plant permit expires in February 2004.

The City Manager further advised that negotiations to develop the Consent Order included representatives of the City's partnering jurisdictions, as well as staff from the City and DEQ; and representatives of partnering jurisdictions are familiar with impacts to their systems that the Consent Order will generate.

The City Manager recommended that Council authorize execution of a Consent Order on behalf of the City with the State Water Control Board and the Department of Environmental Quality; that the City Manager be authorized to take such further action and execute and provide further documents as may be necessary to comply with and implement the Consent Order, including necessary contracts or agreements with third parties, to complete the projects mentioned in the Consent Order; and funds required for the projects will be submitted under separate requests.

Ms. Wyatt offered the following resolution:

(#35796-040102) A RESOLUTION authorizing and directing the City Manager to execute for and on behalf of the City a Consent Order with the Commonwealth of Virginia State Water Control Board and the Department of Environmental Quality (DEQ) resolving certain issues regarding the City's Regional Water Pollution Control Plant, upon certain terms and conditions; and authorizing the City Manager to take such further action and to execute and provide such further documents as may be necessary to comply with or implement the provisions of such Consent Order.

(For full text of Resolution, see Resolution Book No. 65, page 507.)

Ms. Wyatt moved the adoption of Resolution No. 35796-040102. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Harris were absent.)

DIRECTOR OF FINANCE:

AUDITS/FINANCIAL REPORTS: The Director of Finance submitted the Financial Report for the City of Roanoke for the month of February 2002.

There being no questions and without objection by Council, the Mayor advised that the financial report would be received and filed.

REPORTS OF COMMITTEES:

AIRPORT-BUDGET: Jacqueline L. Shuck, Executive Director, Roanoke Regional Airport, presented the proposed 2002-03 fiscal year budget of the Roanoke Regional Airport, which was adopted by the Airport Commission at its meeting on March 13, 2002. She advised that the proposed budget is in line with revenues,

budgeted expenditures are \$5.9 million, although they were expected to be \$6.1 million, and total revenues are currently projected at \$6 million, rather than \$6.5 million as previously projected. She explained that nationwide, the number of passengers using air service has decreased dramatically, and the month of February showed a 14 per cent decline in passengers, which appears to the national average. She advised that those who claim to be experts in the airline industry project that it will probably be 2004 before the numbers approach where they were in August 2001 prior to the World Trade Center disaster. She stated that the proposed budget is conservative, with no raises proposed for airport employees; however, it is hoped as revenues come in during the next three months, that the Airport budget will accommodate a minimal employee raise. She advised that additional security-related employees are included in the budget, some of which were added immediately after the September 11 World Trade Center disaster, other employees are contractors who were working at the airport, and since a number of security measures appear to be permanent, those employees will be retained as additional staff. She stated that very little is included for equipment purchases or capital funding in the coming year, although a robust capital program is included in terms of the second runway, relocation of a taxiway, and redevelopment in the general aviation area, most of which will be funded by Federal grants to be matched by State grants.

Mr. Bestpitch offered the following resolution:

(#35797-040102) A RESOLUTION approving the Roanoke Regional Airport Commission's 2002-2003 proposed operating and capital budget, upon certain terms and conditions.

(For full text of Resolution, see Resolution Book No. 65, page 508.)

Mr. Bestpitch moved the adoption of Resolution No. 35797-040102. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members White, Hudson, Wyatt, Bestpitch, Carder and Mayor Smith-----6.

NAYS: None-----0.

(The abovereferenced measure was voted on out of sequence and before Council Member White left the meeting.) (Council Member Harris was absent.)

UNFINISHED BUSINESS: None.

INTRODUCTION AND CONSIDERATION OF ORDINANCES AND RESOLUTIONS:

CITY COUNCIL-YOUTH: Mr. Bestpitch offered the following resolution changing the time and place of commencement of the regular meeting of City Council on Monday, April 15, 2002, from 2:00 p.m., to 12:00 noon in the Exhibit Hall of the Roanoke Civic Center, for the purpose of recognizing participants in Student Government Day, with the 2:00 p.m. session of Council to convene in the City Council Chamber.

Mr. Bestpitch offered the following resolution:

(#35798-040102) A RESOLUTION changing the time and place of commencement of the regular meeting of City Council on Monday, April 15, 2002.

(For full text of Resolution, see Resolution Book No. 65, page 509.)

Mr. Bestpitch moved the adoption of Resolution No. 35798-040102. The motion was seconded by Mr. Hudson and adopted by the following vote:

AYES: Council Members Hudson Wyatt, Bestpitch, Carder and Mayor Smith-----5.

NAYS: None-----0.

(Council Members White and Harris were absent.)

MOTIONS AND MISCELLANEOUS BUSINESS:

INQUIRIES AND/OR COMMENTS BY THE MAYOR AND MEMBERS OF COUNCIL:

BUDGET-REFUSE COLLECTION: At the request of Council Member White, who had to leave the meeting prior to adjournment, Mr. Hudson requested that the matter of service levels and costs associated with the Solid Waste Management Program be referred to fiscal year 2002-03 budget study for further discussion.

ACTS OF ACKNOWLEDGEMENT: Vice-Mayor Carder referred to a communication from the City Manager under date of April 1, 2002, in regard to the "Shining Star" recognition program; whereupon, the City Manager requested that Council review details of the program, and without objection by Council, the program will be implemented by City staff.

CITY EMPLOYEES: Council Member Wyatt requested a report on the City's personal leave policy. She called attention to reports that on the first day of personal leave, some City employees advise that they have been placed on family leave; whereupon, she requested a clarification.

CITY MANAGER COMMENTS:

FIRE DEPARTMENT-CITY MANAGER-COMMUNITY PLANNING-ROANOKE NEIGHBORHOOD PARTNERSHIP: The City Manager called attention to the following meetings:

April 8, 2002, 7:00 p.m., Hurt Park Elementary School - Code Enforcement meeting;

April 16, 2002, 6:30 p.m., Harrison Museum of Africa-American Culture - Fire Station Plans; and

April 24, 2002, 6:30 p.m., Council Chamber, Ad-Hoc Committee to study the duties and responsibilities of the Roanoke Neighborhood Partnership Steering Committee.

HEARING OF CITIZENS UPON PUBLIC MATTERS: The Mayor advised that Council sets this time as a priority for citizens to be heard; it is also a time for informal dialogue between Council Members and citizens; and matters requiring referral to the City Manager will be referred immediately for any necessary and appropriate response, recommendation or report to Council.

HOUSING/AUTHORITY: Ms. Helen E. Davis, 35 Patton Avenue, N. E., spoke on behalf of residents of the Lincoln Terrace housing development in connection with a previous request for screen doors on housing units. She advised that staff representing the Roanoke Redevelopment and Housing Authority recently advised Lincoln Terrace residents that there will be no front screen doors, only back screen doors, with the following stipulations: a resident must be 62 years of age or older and must order the back screen door by request only. She stated that millions of dollars of Federal funds are being spent on the Lincoln Terrace project and screen doors are a necessity for health and safety reasons; all residents of Lincoln Terrace should have screen doors for both the front and back of their housing unit; and accountability is necessary. She explained that when the matter was last discussed by Council, it was referred to the City Manager for resolution.

At 5:10 p.m., the Mayor declared the meeting in recess for continuation of three Closed Sessions that were previously approved by Council.

At 6:15 p.m., the meeting reconvened in the City Council Chamber, with all Members of the Council in attendance, except Council Members Harris, White and Hudson, Mayor Smith presiding.

COUNCIL: With respect to the Closed Meeting just concluded, Ms. Wyatt moved that each Member of City Council certify to the best of his or her knowledge that: (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by City Council. The motion was seconded by Mr. Carder and adopted by the following vote:

AYES: Council Members Wyatt, Bestpitch, Carder and Mayor Smith-----4.

NAYS: None-----0.

(Council Members White, Hudson and Harris were absent.)

OATHS OF OFFICE-PARKS AND RECREATION-COMMITTEES: The Mayor called attention to a communication from the City Manager advising that the Parks and Recreation Comprehensive Master Plan approved by Council in May, 2000, and the Parks and Recreation Department Strategic Business Plan identifies the need for a Parks and Recreation Advisory Board, which will be charged with the responsibility of making recommendations for future park improvements, to serve as a valuable resource to the Department of Parks and Recreation in setting long-term policy issues, and to assist with marketing and fund raising campaigns. He further advised that it is proposed that the Advisory Board will consist of no more than 13 members, with initial terms to be staggered, as follows: four members to be appointed for one year terms, four members to be appointed for two year terms, and five members to be appointed for three year terms, with reappointment to be for three years following completion of the initial term of office.

The Mayor opened the floor for nominations; whereupon, Mr. Carder placed in nomination the names of V. Shay Berger, Erin Garvin, James Hale, Carl H. Kopitzke, Geraldine LaManna, Mark S. Lawrence, Anita L. Lee, David Nixon, Brian M. Shepard, S. James Sikkema, Sherley E. Stuart, The Reverend David Walton, and Onzlee Ware.

There being no further nominations, Ms. Berger, Ms. Garvin, Mr. Hale, and Mr. Kopitzke were appointed for terms of one year, each, ending March 31, 2003; Ms. LaManna, Mr. Lawrence, Ms. Lee, and Mr. Nixon were appointed for terms of two years, each, ending March 31, 2004; and Mr. Shepard, Mr. Sikkema, Mr. Stuart, Reverend Walton and Mr. Ware were appointed for terms of three years, each, ending March 31, 2005, by the following vote:

FOR MS. BERGER, MS. GARVIN, MR. HALE, MR. KOPITZKE, MS. LAMANNA, MR. LAWRENCE, MS. LEE, MR. NIXON, MR. SHEPARD, MR. SIKKEMA, MR. STUART, REVEREND WALTON AND MR. WARE: Council Members Wyatt, Bestpitch, Carder and Mayor Smith-----4.

(Council Members Harris, Hudson and White were absent.)

Inasmuch as Mr. Sikkema is not a resident of the City of Roanoke, Mr. Carder moved that the City residency requirement be waived in this instance. The motion was seconded by Ms. Wyatt and adopted.

There being no further business, the Mayor declared the meeting adjourned at 6:20 p.m.

A P P R O V E D

ATTEST:

**Mary F. Parker
City Clerk**

**Ralph K. Smith
Mayor**



May 6, 2002


Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Roanoke River Flood Reduction Project
Easements for the Relocation of AEP
Transmission and Distribution Lines

Pursuant to the requirements of the Virginia Code, the City of Roanoke is required to hold a public hearing on the proposed conveyance of property rights. This is to request that a public hearing be advertised on the above matter for Council's regular meeting to be held on Monday, May 20, 2002. A full report will be included in the May 20, 2002, agenda material for your consideration.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB/SEF

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Sarah E. Fitton, Engineering Coordinator



Office of the City Manager

May 6, 2002

The Honorable Mayor
and Members City Council
Roanoke, Virginia

Dear Mayor and Members of Council:

I would like to sponsor a request from Festival in the Park to discuss this year's event at the regular meeting of City Council on Monday, May 6, 2002.

Sincerely,

Darlene L. Burcham
City Manager

DLB:ca



Stuart Israel,
Executive Director

Board of Directors 2001-02
Robin Boggs, President
Bank of America

Eileen Guerry, Past-President
Roanoke City Schools

Cathy Rucker, President-Elect
Allstate Insurance Co.

Debbie McClure, Secretary
Drummond American

Kathy Sink, Treasurer
Tngon Blue Cross Blue Shield

Aneta Adamaszek
The Orvis Co.

Maria Anderson

Hillary Baker
Roanoke City Schools

Shen Bernath
GE Industrial Systems

Margaret Boyes, APR
United Way of Roanoke Valley

Sara Brooks
Comfort Rest

A. W. "Skip" Brown
Edward Jones

Cliff Demars

Janice Gillespie
Legacy Ventures

Steve Guardipee
M Hayes & Assoc.

Karen Moore

Angela Cifardini-Pratt
Action Personnel, Inc.

Matthew Reames
Roanoke City Schools

Sharon Simmons
Harris Office Furniture

Natasha Vance
Hayes, Seay, Mattern & Mattern

Lawanna Walsh
Carilion Health Systems

Carol Williams
Administrative Assistant

April 29, 2002

Members of City Council
City of Roanoke
215 West Church Avenue, Room 456
Roanoke, VA 24011

Honorable Members of City Council:

Festival season in the Festival City is about ready to swing into full gear! All the many details for Roanoke Festival in the Park are being finalized as it's just around the corner. I respectfully request a few minutes on the agenda of your May 6th meeting to discuss Festival in the Park 2002. Our organization sincerely appreciates the support provided by the City of Roanoke and would like to share a few of the finer points of this year's event with you. I look forward to seeing you on May 6.

Sincerely,

Stuart Israel
Executive Director



May 6, 2002

Honorable Ralph K. Smith, Mayor, and Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of Council:

Subject: V-STOP Briefing

This is to request space on Council's regular agenda for a briefing on the above referenced subject.

Respectfully submitted,


Darlene L. Burgham
City Manager

DLB:ca

c: City Attorney
Director of Finance
City Clerk



May 6, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Outbound Postage Service
Bid # 02-03-18

Background:

In an effort to provide postage services in the most cost efficient manner possible, specifications were developed and, along with an Invitation for Bid, were sent to seven (7) postal processing firms. The bid was publicly advertised in accordance with Chapter 23.1 of the Code of the City of Roanoke.

Considerations:

The lowest responsible bidder meeting specifications was Automated Mailing Systems, Inc., Roanoke, VA. Based on the bid per piece of mail processed at \$.025, plus a one percent additional fee for front funding actual postage cost paid by the vendor, the annual cost of the contract would be approximately \$19,150.00.

Funding for payment of the contract is available in individual department/division postage account (#2160).

The Honorable Mayor and Members of Council
May 6, 2002
Page 2

Recommended Action:

Authorize the City Manager to award the bid and enter into a one-year agreement, with the option to renew for four (4) additional one (1) year periods, with Automated Mailing Systems, Inc., for the provision of postage metering, bar coding and presort services at the contract price of \$.025 per piece of mail processed plus a one percent additional fee for front funding actual postage cost paid by the vendor, or approximately \$19,150.00 per year, and reject all other bids.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB: bdf

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
George C. Snead, Acting Director of General Services
Robert L. White, Manager, Purchasing

CM02-00074

Bid Tabulation
 Bids were received, publicly opened and read at 2:00 p.m., April 8, 2002
 For
 Outbound Postage Service
 Bid Number 02-03-18

Vendor	BIDS		TOTAL BID
	Processing Fee	Postage Front-Funding Charge	
Automated Mailing	\$16,250.00	\$2,900.00	\$19,150.00
Presort Express	11,700.00	8,700.00	20,400.00

Note 1:

Qualifying Pieces	585,000
Non-qualifying Pieces	<u>65,000</u>
Total Pieces Processed	650,000

Note 2: Fee for vendor to front-fund City's actual postage costs

Automated Mailing	\$0.01
Presort Express	\$0.03

Note 3:

Front-funding charges based on actual postage of \$290,000 annually. Large special mailings to be front-funded.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION accepting the bid of Automated Mailing Systems, Inc., made to the City for providing outbound postage service, upon certain terms and conditions, and awarding a contract therefor; authorizing the proper City officials to execute the requisite contract for such services; and rejecting all other bids made to the City.

BE IT RESOLVED by this Council of the City of Roanoke that:

1. The bid submitted by Automated Mailing Systems, Inc., to provide outbound postage service at approximately \$19,150.00 per year, with the option to renew for four (4) additional one (1) year periods as set forth in the City Manager's letter to Council dated May 6, 2002, such bid being in full compliance with the City's specifications made therefor, is hereby ACCEPTED.
2. The City Manager and City Clerk are hereby authorized, on behalf of the City, to execute and attest, respectively, the requisite contract with the successful bidder, based on its bid made therefor and the City's specifications made therefor, said contract to be in such form as is approved by the City Attorney.
3. Any and all other bids made to the City for the aforesaid procurement are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk



May 6, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: **Consultant Contract for New
Zoning Ordinance**

Background:

According to section 15.2-2285 of the Code of Virginia, "the planning commission of each locality may, and at the direction of the governing body shall, prepare a proposed zoning ordinance including a map or maps showing the division of the territory into districts and a text setting forth the regulations applying in each district."

The last major revision of the zoning ordinance was in 1987. In 2001, City Council adopted a new Comprehensive Plan, *Vision 2001-2020*. Revisions to the zoning ordinance are needed to provide the development and land use tools to implement the plan's recommendations.

Development of the new zoning ordinance will include a comprehensive review of the existing zoning ordinance, consideration of future goals for the City as established in *Vision 2001-2020*, coordination of public participation processes, and development of new land use regulations that encourage quality development and traditional development patterns that comprise a significant part of the City.

Considerations:

With approval of the September 4, 2001, Council Report #CM01-00204, "Capital Maintenance and Equipment Replacement Reserve for FY 2002", budget ordinance 35556 appropriated \$100,000 for funding to provide for professional assistance to update the Zoning Ordinance. As such, funding in the amount of \$99,974 is available in account #008-610-9901-9132 (Updating Zoning Ordinance).

A team of city staff and a representative of the Board of Zoning Appeals and the Planning Commission met to discuss the new ordinance and to hire a planning consulting firm. A Request for Proposal was advertised and notices were sent to national firms known to have an expertise in this area. Five written proposals were received and three firms were selected for interviews by the team. The proposal chosen is the venture of the qualified firm of Freilich, Leitner and Carlisle ("Consultant"). The firms of Planning Works, LLC, and The Lawrence Group will serve as subconsultants.

A scope of services has been negotiated and consists of the following three phases to be completed in an estimated 15-month timeframe:

Phase I - Reconnaissance (June, 2002 – September, 2002)

General orientation, data compilation, Reconnaissance Report, and Annotated Code Outline.

Phase II – Ordinance Draft (October, 2002 – May, 2003)

Drafting of Zoning Ordinance document and document review.

Phase III – Adoption (June, 2003 – August, 2003)

Planning Commission public hearing and recommendations; City Council public hearing and recommendations; and incorporation of final revisions into Zoning Ordinance as approved and adopted by City Council.

The negotiated cost of the project is \$99,974 and includes a camera-ready original for the City, including a digital writeable copy containing properly formatted text and all graphic illustrations contained in the Ordinance.

In developing the new zoning ordinance, it is expected that meetings will be scheduled with City Council to discuss zoning issues of special interest. It is also expected that there will be frequent briefings with City Council on this very important project.

Honorable Mayor and Members of Council
May 6, 2002
Page 3

Recommended Actions:

City Council accept the proposal of Freilich, Leitner & Carlisle ("Consultant"), with Planning Works, LLC, and The Lawrence Group as subconsultants, and authorize the City Manager to execute an agreement with the Consultant, approved as to form by the City Attorney, for planning services.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene Burcham", written in a cursive style.

Darlene Burcham
City Manager

DLB:ns

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Evelyn S. Lander, Director, Planning Building and Development

#CM02-00075

CITY OF ROANOKE, VIRGINIA
DRAFT CONTRACT FOR CONSULTANT SERVICES

PROPOSAL NO.

This Agreement, made at Roanoke, Virginia, dated _____, 2002 ("Contract"), by and between the City of Roanoke, Virginia (hereinafter referred to as "City"), and Freilich, Leitner & Carlisle, a Missouri corporation (hereinafter referred to as "Consultant").

WITNESSETH:

NOW THEREFORE, for and in consideration of the benefits which will accrue to the parties hereto by virtue of this Contract and the respective covenants contained herein, IT IS MUTUALLY COVENANTED AND AGREED AS FOLLOWS:

SECTION 1: PROJECT

The term Project as used in this Contract refers to all services performed and expenses incurred in connection with the creation, publication and presentation of a new zoning ordinance for the City ("Ordinance").

The purpose of the Project shall be to develop the Ordinance which meets the City's needs and is consistent with the Code of Virginia (1950), as amended. The Ordinance shall facilitate implementation of *Vision 2001-2020*, the City's adopted Comprehensive Plan, be enforceable, and incorporate principles and standards that address the unique planning demands of the City of Roanoke.

SECTION 2: CONSULTANT SERVICES

A. SCOPE OF SERVICES

Consultant shall provide the professional services for the orderly development and adoption of the Ordinance as set forth in Attachment A.

B. PROJECT DELIVERABLES

1. The Consultant agrees to deliver to the City all Project documents as detailed in Attachment A, with those documents becoming the property of the City. The City hereby authorizes the Consultant to reproduce and

Project: _____ Contract for Consultant Services

distribute such documents for purposes of presentations, requests for proposals, and for use in other ordinances.

2. It is further agreed by the Parties hereto that all graphics, photographs, survey notes, meeting notes, workshop notes, sketches, basic charts, analyses, studies, maps, and other documentation compiled or created in connection with this Contract shall be made available to the City without restriction or limitation on their use at no additional cost to the City.

C. **PERSONNEL**

1. The Consultant may retain Michael Lauer ("Lauer") of Planning Works, LLC, Craig Lewis ("Lewis") of The Lawrence Group, and/or David Walters ("Walters") of The Lawrence Group, or any or all of them, to perform under this Contract. The services of the Consultant, and the services of Lauer, Lewis, and Walters, shall be billed as set forth in Section 3, Consultant Fees, and Section 4, Payment for Consultant Services.

2. The Consultant hereby designates assignments for this Project as follows:

Principal in Charge/Project Manager:	Mark White, Freilich, Leitner & Carlisle
Project Assistant:	Tyson Smith, Freilich, Leitner & Carlisle
Project Assistant:	Michael Lauer, Planning Works, LLC
Urban Design/Graphics:	Craig Lewis, The Lawrence Group
Urban Design/Graphics:	David Walters, The Lawrence Group

3. Where circumstances require substitution for any of the above listed personnel assignments, the Consultant shall so advise the City in writing. The substitute shall be of the same or greater level of expertise and experience as the personnel being replaced. The City reserves the right to accept or reject any initial or substituted Project personnel. The Consultant's Project Manager shall not be reassigned or replaced during the term of the Contract without the express written approval of the City.

SECTION 3: CONSULTANT FEES

The Consultant and City agree as follows:

- A. All work under this Contract shall be paid for on a lump sum basis. The lump sum fee shall be determined on the basis of man-hours and associated cost for

Project: _____ Contract for Consultant Services

all work tasks required, as well as Project Administration costs and Expenses, as detailed in the table in Section 3C. The Consultant agrees that the lump sum fee is full and complete compensation for the completed Project, contract documents, and all reimbursable expenses incurred and services rendered by the Consultant, without condition or limitation. Reimbursable expenses include, but are not necessarily limited to, long-distance telephone, copying and report reproduction, travel, special postage, overnight delivery and word processing.

- B. The lump sum for each work task and for Project Administration shall not exceed the budgeted amounts as shown in the table in Section 3C. Should the actual cost for any line item be less than the amount budgeted for that line item, the savings may be applied to another line item as agreed to by the Parties. In no event, however, may the total amount for the Project exceed \$99,974.00.
- C. The lump sum fee for the Project will be paid, within thirty (30) days after invoice upon completion of each task, as set forth in column (G) of the table below, subject to approval by the City of the Consultant's services.

(A)	(B)	(C)	(D)	(E)	(F)	(G)	Completion of task - Hours Fees % Total Project Adminis-tration Expenses
Subtotal Phase I: Reconnaissance							Task 1.1 General Orientation
69	\$9,980	12%	\$134	\$2,073	\$12,187	Task 1.2 Data Compilation	32 \$5,600 7% \$75 \$1,163 \$6,838
Reconnaissance Report							Task 1.3
45	\$6,945	8%	\$93	\$1,443	\$8,481	Task 1.4 Annotated Outline	
32	\$4,684	6%	\$63	\$973	\$5,720	Phase II: Ordinance Draft	Task 2.1 Draft Document
260	\$34,235	42%	\$460	\$7,111	\$41,806	Task 2.2 Document Review	90 \$12,425 15% \$167 \$2,581 \$15,173
Phase III: Adoption							Task 3.1: Planning Commission hearings
16	\$2,800	3%	\$38	\$582	\$3,419	Task 3.2: City Council hearings	16 \$2,800 3% \$38 \$582 \$3,419
20	\$2,400	3%	\$32	\$499	\$2,931	Task 3.3: Final document	20 \$2,400 3% \$32 \$499
Project Administration							\$1,100 Expenses \$17,005 Total \$99,974
							\$81,869
							\$99,974

- D. Consultant shall bill the City monthly for fees and expenses. The City shall render payment to Consultant pursuant to such invoice within thirty (30) days following receipt of the invoice, if the conditions in Section have been satisfied. Consultant shall have the right to cease work and terminate this Contract in the event of either non-payment of any invoice or City's failure to pay any invoice by the 45th day after receipt by the City, if the City has approved and accepted the Consultant's services or goods provided in connection with unpaid invoice.
- E. All work under this Contract shall not exceed a total cost of \$99,974 as outlined in the table in Section 3C above. The Consultant agrees that the \$99,974 is full and complete compensation for all fees and expenses incurred by the Consultant in performance of all tasks connected with completing this Project.
- F. Work shall not begin on any phase of the Project without express written authorization from the City. The City and the Consultant agree that the City has the right to terminate, with or without cause, the Consultant's services at any time and the City may cancel this Contract at any time with or without cause and without incurring any liability, damages, or cost to the Consultant, except as set forth in Section 7D.

SECTION 4: PAYMENT FOR CONSULTANT SERVICES

Payments will be made only to Consultant. The Consultant shall submit a request for payment not more than once each month. The payment requested shall be in proportion to the services completed by Project phase and approved

Project: _____ Contract for Consultant Services

by the City. The City shall have the final decision with respect to the proportion of the Project completed. A written progress report detailing work completed, identified problems, and remaining work shall accompany each request for payment.

SECTION 5: TERM OF CONTRACT

The term of this Contract shall be from June 1, 2002, to August 31, 2003.

SECTION 6: SPECIAL CONDITIONS

- A. It is agreed by the Parties hereto that the Consultant shall proceed to furnish professional services on any phase of the Project under the terms provided in this Contract only after a Notice to Proceed with the next phase has been given to the Consultant in writing by the City.
- B. Each party binds itself, its principals, successors, and assigns to perform all covenants and provisions of this Contract. Except as above noted, neither the City nor the Consultant shall assign or transfer its interest in this Contract without the written consent of the other Party hereto, which consent shall not be unreasonably withheld.
- C. The term of this Contract will be completed upon final approval and acceptance of the completed Project by the City within the period of time set forth in Section 5 of this Contract. However, nothing contained herein shall be construed to establish a period of limitation with respect to any obligation which the Consultant might have under the Contract or the law of Virginia, including liability for errors and omissions.
- D. Consultant agrees that the work and services (which shall include, but not be limited to, all plans, code provisions, graphics, and reports) Consultant provides for the City pursuant to this Contract will comply with all applicable federal, state, and local laws, codes, and regulations that are in effect as of the date of the Contract. Furthermore, Consultant shall, in a timely manner, inform in writing the City, during the term of the Contract and until completion of the Consultant's services, about changes or modifications of all such laws, codes, or regulations that may affect or require modification or changes to any part of the Project so that the City will be able to determine if changes or modifications should be made to the Project before completion.
- E. The Consultant agrees that the City shall have access to any books, documents, papers, and records of the Consultant which are pertinent to this Project for the purpose of making an audit, examinations, excerpts, or transcriptions.
- F. The Consultant shall, at its sole expense, obtain and maintain during the life of this Contract the insurance policies required by this Section. Any required insurance policies shall be effective prior to the beginning of any work or other performance by the Consultant under this Contract. The following policies and coverage are required:
 - 1. **Commercial General Liability.** Commercial General Liability Insurance shall insure against all claims, loss, cost, damage, expense or liability from loss of life or damage or injury to persons or property arising out of the Consultant's performance under this Contract. Coverage shall be written on an "occurrence" basis with a one million dollars and no cents (\$1,000,000.00) minimum limit, and such coverage shall include products/completed operations, personal injury and advertising injury, and bodily injury.
 - 2. **Workers' Compensation and Employer's Liability.** Workers' Compensation insurance covering Consultant's statutory obligation under the laws of the Commonwealth of Virginia and

Project: _____ Contract for Consultant Services

Employer's Liability insurance shall be maintained for all its employees engaged in work under this Contract. Minimum limits of liability for Employer's Liability shall be one hundred thousand dollars and no cents (\$100,000.00) bodily injury by accident each occurrence; five hundred thousand dollars and no cents (\$500,000.00) bodily injury by disease (policy limit); and one hundred thousand dollars and no cents (\$100,000.00) bodily injury by disease (each employee). With respect to Workers' Compensation coverage, the Consultant's insurance company shall waive rights of subrogation against the City, its officers, employees, agents, and volunteers.

3. Automobile Liability. The minimum limits of liability for Automobile Liability Insurance shall be one million dollars and no cents (\$1,000,000.00) bodily injury and property damage combined single limit applicable to owned, non-owned, or hired vehicles used in the performance of any work under this Contract.
4. Professional Liability. Minimum limits of insurance coverage for Professional Liability shall be one million dollars and no cents (\$1,000,000.00).
5. Umbrella Coverage. The insurance coverages and amounts set forth in subsections 1, 2, and 3 of this Section may be met by an umbrella liability policy following the form of the underlying primary coverage. Should an umbrella liability insurance coverage policy be used, such coverage shall be accompanied by a certificate of endorsement stating that it applies to the specific policy numbers indicated for the insurance providing the coverages required by subsections 1, 2, and 3 of this Section, and it is further agreed that such statement shall be made a part of the certificate of insurance furnished by the Consultant to the City.
6. Evidence of Insurance. The policies of insurance shall be purchased from a reputable insurer licensed to do business in Virginia and maintained for the life of the Contract by the Consultant. In addition, the following insurance requirements shall be met:
 - a) Consultant shall furnish the City at the time of execution of this Contract a certificate or certificates of insurance showing the insurer, type of insurance, policy number, policy term, and limits.
 - b) The required certificate or certificates of insurance shall contain substantially the following statement: "The insurance covered by this certificate shall not be canceled or materially altered, except after thirty (30) days written notice has been received by the Risk Management Officer and the Director of Planning Building and Development for the City of Roanoke."
 - c) The required certificate or certificates of insurance shall name the City of Roanoke, its officers, agents, volunteers and employees as additional insureds except with regard to professional liability, workers' compensation and employer's liability coverages. Workers' Compensation and Employer's Liability coverages shall contain a waiver of subrogation in favor of the City. Additional insured and waiver endorsements shall be received by the City Risk Management Officer from the insurer within thirty (30) days of the beginning of this Contract.
 - d) Where waiver of subrogation is required with respect to any policy of insurance required under this Section, such waiver shall be specified on the certificate of insurance.
- G. The Consultant agrees to and shall indemnify and hold harmless the City and its officers, agents, volunteers, and employees against any and all liability, losses, damages, claims, causes of action, suits of any nature, cost, and expenses, including reasonable attorney's fees, resulting from or arising out of Consultant's or its agent's, subcontractor's and/or subconsultant's negligent activities or omissions on or near any of the City's property or easements involved in this Project or arising out of or

Project: _____ Contract for Consultant Services

resulting from Consultant's negligence in providing any of the services under this Contract, including, without limitation, fines and penalties, violations of federal, state, or local laws, or regulations promulgated thereunder, or any personal injury, wrongful death, or property damage claims of any type.

SECTION 7: SPECIAL PROVISIONS

- A. If any of the services furnished under this Contract by the Consultant are furnished by obtaining such services outside the Consultant's organization, the Consultant shall be solely responsible for all costs and expenses in connection with obtaining any such services.
- B. The City shall make available to the Consultant all reasonable technical data that is in the City's possession, including maps, surveys, property descriptions, public records, ordinances, and other information requested by the Consultant and relating to his work. The City shall designate, in writing to the Consultant, the name of the City's Project Manager for the Project.
- C. The City shall pay for publishing costs for advertisements of notices and public hearings.
- D. The City by seven days written notice may terminate this Contract, with or without cause, in whole or in part at any time. Upon receipt of such notice, the Consultant shall immediately discontinue all services affected (unless the notice directs otherwise), and deliver to the City all data, drawings, drafts, reports, summaries, and such other information and materials as may have been created or accumulated by the Consultant in performing this Contract whether completed or in process. In the event of termination by the City under this clause, the City shall be responsible for all services provided up to the date of termination which were provided in accordance with the terms of this Contract.
- E. By virtue of entering into this Contract the Consultant submits itself to a court of competent jurisdiction in the City of Roanoke, Virginia, and further agrees that this Contract is controlled by the laws of the Commonwealth of Virginia and that all claims, disputes, and other matters shall only be decided by such a court according to the laws of the Commonwealth of Virginia.
- F. The Consultant shall be fully responsible to the City for all acts and omissions of all agents and subconsultants performing or furnishing any of the work just as the Consultant is responsible for its own acts and omissions.
- G. During the performance of this Contract, the Consultant agrees as follows:
 - 1. The Consultant will not discriminate against any employee or applicant for employment because of race, religion, color, sex, national origin, age, disability, or any other basis prohibited by state law relating to discrimination in employment, except where there is a bona fide occupational qualification reasonably necessary to the normal operation of the Consultant. The Consultant agrees to post in conspicuous places, available to employees and applicants for employment, notices setting forth the provisions of this nondiscrimination clause.
 - 2. The Consultant in all solicitations or advertisements for employees placed by or on behalf of the Consultant will state that the Consultant is an equal opportunity employer.
 - 3. The Consultant will include the provisions of the foregoing subsections G (1) and (2) in every subcontract or purchase order over ten thousand dollars and no cents (\$10,000.00) so that the provisions will be binding upon each subconsultant or vendor.
- H. Consultant agrees that the City's waiver or failure to enforce or require performance of any term or condition of this Contract or the City's waiver of any particular breach of this Contract by the Consultant

Project: _____ Contract for Consultant Services

extends to that instance only. Such waiver of failure is not and shall not be a waiver of any of the terms of conditions of this Contract or a waiver of any other breaches of the Contract by the Consultant and does not bar the City from requiring the Consultant to comply with all the terms and conditions of the Contract and does not bar the City from asserting any and all rights and/or remedies it has or might have against the Consultant under this Contract or by law.

- I. If any provision of this Contract, or the application of any provision hereof to a particular entity or circumstance, shall be held to be invalid or unenforceable by a court of competent jurisdiction, the remaining provisions of the Contract shall not be affected and all other terms and conditions of the Contract shall be valid and enforceable to the fullest extent permitted by law.
- J. During the performance of this Contract, the Consultant agrees to:
- (a) Provide a drug-free workplace for the Consultant's employees;
 - (b) Post in conspicuous places, available to employees and applicants for employment, a statement notifying employees that the unlawful manufacture, sale, distribution, dispensation, possession, or use of a controlled substance or marijuana is prohibited in the Consultant's workplace and specifying the actions that will be taken against employees for violations of such prohibition;
 - (c) State in all solicitations or advertisements for employees placed by or on behalf of the Consultant that the Consultant maintains a drug-free workplace; and
 - (d) Include the provisions of the foregoing clauses in every subcontract or purchase order of over ten thousand dollars and no cents (\$10,000.00), so that the provisions will be binding upon each subconsultant or vendor.
2. For the purposes of this subsection, "drug-free workplace" means a site for the performance of work done in connection with a specific contract awarded to a consultant in accordance with this Contract, the employees of whom are prohibited from engaging in the unlawful manufacture, sale, distribution, dispensation, possession or use of any controlled substance or marijuana during the performance of the Contract.
- K. Pursuant to §2.2-4343.1 of the Code of Virginia (1950), as amended, the City of Roanoke does not discriminate against faith-based organizations.
- L. This Contract constitutes the entire agreement between the Consultant and the City and may be amended only by written instrument signed by both the Consultant and the City.
- M. Notice: Any notice, request, or demand given or required to be given under this Contract shall, except as otherwise expressly provided herein, be in writing and shall be deemed duly given only if delivered personally or sent by certified mail, return receipt requested to the addresses stated below.

To the City:

City Manager
Room 364, Noel C. Taylor Municipal Building
215 Church Avenue, S. W.
Roanoke, Virginia 24011

cc:

Director of Planning Building and Development

Project: _____ Contract for Consultant Services

Room 166, Noel C. Taylor Municipal Building
215 Church Avenue, S. W.
Roanoke, Virginia 24011

To the Consultant:

Mr. S. Mark White
Freilich, Leitner & Carlisle
1150 One Main Plaza
4435 Main Street
Kansas City, Missouri 64111-1858

IN WITNESS WHEREOF, the parties hereto have affixed their hand and seals.

ATTEST:

Freilich, Leitner & Carlisle

By _____
S. Mark White, Principal

ATTEST:

CITY OF ROANOKE, VIRGINIA

Project: _____ Contract for Consultant Services

By _____
Darlene L. Burcham, City Manager

Approved as to form:

Appropriation and Funds Required
for this Contract Certified:

City Attorney

Director of Finance

Account No. 008-610-9901-9132

Approved as to Execution:

City Attorney

ATTACHMENT A

1. CONSULTANT TRIPS:

The Consultant shall travel to Roanoke to conduct and participate in meetings, interviews, workshops, briefings, and presentations as scheduled by the City. Ten (10) trips are anticipated for this Project. A "trip" shall not be limited to one (1) day but shall include the following, in order to complete required work tasks: two full days and one evening meeting, or two evening meetings and one full day. The City and the Consultant may adjust the timing of trips as may be necessitated by the work program and as mutually agreed upon by the City and the Consultant.

2. PROJECT PHASES AND WORK TASKS:

PHASE I: RECONNAISSANCE

[estimated four-month timeframe]

Phase I is the definition of issues, policies, opportunities and problems relating to growth and development within the City of Roanoke. The objectives of this phase shall be to:

- Develop a common understanding of the scope of the Zoning Ordinance and the process for its

Project: _____ Contract for Consultant Services

- revision;
- Compile a database of existing written documentation concerning land use regulation within the City of Roanoke;
- Compile community input from all stakeholders with a vested interest in land development and Roanoke's growth;
- Develop community support by encouraging stakeholder participation and input; and
- Solicit public input on policies relating to neo-traditional principles, supplemental uses, performance standards and provision of public infrastructure.

Phase I Work Tasks:

1.1 General Orientation [to be completed within one (1) month from date of execution of Contract]

A. Consultant:

- (i.) Tours Roanoke to become more familiar with City and gain a sense of what is in the community;
- (ii.) Meets with key City staff who are most directly involved in the zoning process for an initial discussion of the existing zoning ordinance and land use issues in Roanoke;
- (iii.) Conducts initial workshops with various groups of citizens and City staff employees ("focus group") to begin identifying issues, opportunities and problems relating to growth and development in Roanoke; and
- (iv.) Conducts a presentation for the general public to explain the process and scope for developing the Ordinance (an overall briefing about where the City of Roanoke is currently and where the City would like to go with its zoning regulations).

- B. Consultant reviews and references pertinent documentation, including existing zoning and subdivision regulations, related ordinances and regulations, administrative policies, Vision 2001-2020 Comprehensive Plan, Virginia and federal legislation relevant to planning and zoning issues, and any other related documents.**

1.2 Data Compilation [to be completed within two (2) months from date of execution of Contract]

- A. Consultant prepares questionnaire and agenda for distribution to members of focus groups in advance of workshops.**
- B. Consultant conducts workshop for each focus group with discussion including but not limited to the development approval process, zoning and subdivision requirements, administrative procedures, existing regulatory deficiencies, suggested changes, the conversion from current zoning districts to new zoning districts, if any, and implementation procedures. Consultant leads discussion and is responsible for taking notes and preparing a summary of workshop input and discussion.**
- C. Consultant conducts in-depth interviews with City staff involved in the development process to identify regulations that are effective, ineffective, or confusing, as well as to provide input on Comprehensive Plan policies.**
- D. Consultant identifies alternative approaches to address concerns with existing regulations and**

Project:_____ Contract for Consultant Services

prepares work program to address them in the Ordinance.

- During this analysis phase, Consultant evaluates legal options relative to implementation and legal strategies. Consultant may confer with Office of the City Attorney to present and propose legal options.
- Consultant evaluates techniques that might be applied to development and administration of new Ordinance, with pros and cons of each alternative presented in simple charts or graphics enabling staff and stakeholders to evaluate appropriateness.

1.3 Reconnaissance Report [estimated one-month timeframe]

Consultant prepares a Reconnaissance Report that summarizes the findings of the initial workshops and status of the work program. The Reconnaissance Report establishes direction for the new Ordinance and identifies major concerns and key decisions obtained from interviews and workshops as well as issues requiring further discussion and input.

- During this work task, Consultant delivers one (1) reproducible copy of initial Reconnaissance Report to City for distribution and comment to those stakeholders determined by City.
- To complete this work task, Consultant revises Reconnaissance Report, based on comments, and provides one (1) reproducible copy of final report to the City for public distribution. Report refines scope and direction of new Zoning Ordinance.

1.4 Annotated Outline [estimated one-month timeframe]

- A. Based on input on the Reconnaissance Report, Consultant prepares an annotated outline of the proposed Ordinance. The Outline shall give the structure for the ordinance and compare and consolidate the processes, procedures, standards, language and definitions of the various code provisions. It shall also identify new or modification of existing provisions. Some of the sections to be addressed shall include, but are not limited to:
- Urban Design and "Use Patterns", including establishment of design templates for new development
 - Procedures, Administration and Definitions, including
 - Application, notice, hearing and review procedures
 - Document submission requirements
 - Approval criteria
 - Recommended changes to existing procedures and provisions
 - General format and examples of definition section
 - Zoning Districts/Uses, including evaluations of existing zoning districts and permitted use versus performance standards
 - Standards and Required Improvements, including development of design standards and criteria for adjacency, screening and buffering.
- B. Consultant shall provide the City with one (1) reproducible copy of the Annotated Code Outline during this phase.

Project: _____ Contract for Consultant Services

- C. Consultant conducts meetings with key City staff to discuss existing procedural and substantive requirements and to identify provisions that work well and those that are inadequate in order to provide detailed direction on specific ordinance provisions.
- D. Consultant conducts City staff and Zoning Ordinance Committee workshops, which Zoning Ordinance Committee shall consist of representatives of the various focus groups, to focus on policy issues in order to develop an overall regulatory framework. The Consultant leads discussion and is responsible for taking notes and preparing a summary of workshop input and discussion.

PHASE II: ORDINANCE DRAFT

[estimated eight-month timeframe]

Phase II is the process of drafting the new Ordinance and its subsequent review and revision in preparation for presenting the proposed Ordinance for public hearing and adoption.

The intent is to develop an Ordinance that reflects community values, is appropriate for Roanoke, is consistent with Vision 2001-2020, the City's adopted Comprehensive Plan, accommodates different types of development concepts while maintaining flexibility in administration, and is consistent with the Code of Virginia and federal principles. The intent of the review process is to encourage stakeholder support of the document.

The objectives of Phase II are to:

- Draft a well-organized Ordinance that reflects the City's needs, values, and resources;
- Draft an Ordinance that encourages stakeholder support; and
- Draft an Ordinance that provides for multiple approaches and options to land use management and development.

Phase II Work Tasks:

2.1 Draft Document (estimated four-month timeframe)

- Consultant prepares drafts for the Ordinance, including graphics. Although the Ordinance shall include use of graphics to illustrate zoning concepts, the text of the ordinance shall be able to stand alone in terms of being legally defensible. The draft Ordinance will include:
 - Applications/Procedures: administrative checklists for project review, forms, flowcharts for administrative processing, and "hyperlinks" for purposes of website posting.
 - Administration and Definitions: administrative provisions and definition section.
 - Zoning Districts: zoning districts, including clear purpose statements and easy-to-read matrices showing permitted uses, special exception uses, and accessory uses.
 - Development Standards: City's minimum development standards and guidelines for development, incorporating existing development standards as well as alternative approaches to development identified during the work program. Standards will reflect existing development trends and practices identified by staff and stakeholders.

Project: _____ Contract for Consultant Services

- Consultant submits one (1) reproducible copy of initially drafted sections of Ordinance to City for staff and Zoning Ordinance Committee comment at intervals during the four-month drafting process. This process allows for comment and further revision during the drafting process.
- Consultant drafts clear purpose statements for provisions in order to include findings of fact and make the ordinance legally defensible.
- Consultant meets with City Attorney's Office to discuss any legal concerns raised in the drafting of the specific provisions of the ordinance.
- Consultant submits one (1) reproducible copy of completed draft of Zoning Ordinance to City for review.
- Consultant drafts a strategy for transition to the new zoning ordinance.

2.2 Document Review [estimated four-month timeframe]

- A. Consultant presents draft Ordinance to Planning Staff and other City Staff and stakeholders.
 - Consultant conducts meeting with City Staff to facilitate comment on the draft Ordinance.
 - Consultant conducts meeting with Zoning Ordinance Committee to facilitate comment on the draft Ordinance.
 - Consultant, in cooperation with City Staff, conducts public comment session on the draft Ordinance.
- B. Consultant revises draft Ordinance based on the outcome of meetings with City Staff and the Zoning Ordinance Committee as well as the public comment sessions.
- C. Consultant submits one (1) reproducible copy of revised proposed Ordinance for public hearings before the Planning Commission and City Council.

PHASE III: ADOPTION [estimated three-month timeframe]

Phase III is the presentation of the proposed Ordinance to the Planning Commission and City Council for approval and adoption.

The intent is to present the proposed Ordinance at public hearings before the Planning Commission and City Council, to incorporate final revisions, to approve and adopt a new Ordinance, and to provide the adopted Ordinance in a format suitable for copying and distribution.

The objectives of Phase III are to enable the City of Roanoke to adopt an Ordinance that:

- Provides for current approaches to development
- Meets the unique needs of the City of Roanoke
- Is consistent with Vision 2001-2020, the City's Comprehensive Plan
- Is easy to understand
- Recognizes the community's and developer's best interest
- Is fair and legally defensible

Project: _____ Contract for Consultant Services

Phase III Work Tasks:

- 3.1 Planning Commission Public Hearings/Recommendations [estimated one-month timeframe]
 - A. Consultant presents proposed Ordinance at public hearing(s) before the Planning Commission.
 - B. Consultant incorporates revisions recommended by Planning Commission into draft Ordinance to be presented to City Council.
- 3.2 City Council Public Hearings/Recommendations [estimated one-month timeframe]
 - A. Consultant presents proposed Ordinance as recommended by Planning Commission at public hearing(s) before City Council.
- 3.3 Final Document [estimated one-month timeframe]
 - A. Consultant incorporates final revisions as approved and adopted by City Council into the Ordinance.
 - B. Consultant prepares and delivers to City a camera-ready original of the adopted Ordinance for the City as well as a digital writeable copy containing properly formatted text and all graphic illustrations contained in the Ordinance. The Ordinance shall be suitable for conversion to HTML format and PDF format for posting on the Internet.
 - C. Consultant provides the City with a reproducible CD containing the Reconnaissance Report, the Final Ordinance, and all images (including drawings, photographs, and video clips) produced during the Project. The CD may be reproduced and distributed by the City.

Project: _____ Contract for Consultant Services

551

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the proposal of Freilich, Leitner and Carlisle, with the firms of Planning Works, LLC, and The Lawrence Group Architects of North Carolina, Inc., as subconsultants, for professional assistance in updating the City of Roanoke's zoning ordinance, upon certain terms and conditions, and awarding a contract therefore; authorizing the proper City officials to execute the requisite contract for such work; and rejecting all other proposals made to the City for the work.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The proposal of Freilich, Leitner and Carlisle, with the firms of Planning Works, LLC, and The Lawrence Group Architects of North Carolina, Inc., as subconsultants, in the total amount of \$99,974.00 for the provision of professional assistance in updating the City of Roanoke's zoning ordinance, as is more particularly set forth in the City Manager's letter dated May 6, 2002, to this Council, such proposal being in full compliance with the City's Request for Proposals made therefore, which proposal is on file in the Office of Planning and Code Enforcement, be and is hereby ACCEPTED.

2. The City Manager or an Assistant City Manager and the City Clerk are hereby authorized on behalf of the City to execute and attest, respectively, the requisite contract with Freilich, Leitner and Carlisle, with the firms of Planning Works, LLC, and The Lawrence Group Architects of North Carolina, Inc., as subconsultants, based on its proposal made therefore and the

City's specifications made therefore, said contract to be in such form as is approved by the City Attorney, and the cost of said work to be paid for out of funds heretofore or simultaneously appropriated by Council.

3. Any and all other proposals made to the City for the aforesaid services are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express the City's appreciation for such proposal.

ATTEST:

City Clerk.



Office of the City Manager

May 6, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Purchase of Landscape
Maintenance Trucks
Bid # 02-03-27

Background:

Capital Maintenance and Equipment Replacement Program (CMERP) has identified the need to replace three (3) trucks for the Transportation Division of the Public Works Department.

Specifications were developed and, along with an Invitation for Bid, were sent to eleven (11) providers. The bid was publicly advertised in accordance with Chapter 23.1 of the Code of the City of Roanoke.

Considerations:

The lowest bid for three (3) landscape maintenance cab/chassis and bodies was submitted by Super Lawn Truck, Inc., Bonaire, GA. This bid met all specifications at a price of \$54,912.83 per unit.

Funding is available from the Lease of Vehicle Account #017-440-9852-9015.

The Honorable Mayor and Members of Council
May 6, 2002
Page 2

Recommended Action:

Award the bid for three (3) landscape maintenance trucks to Super Lawn Truck, Inc. at a total cost of \$164,738.49 and reject all other bids.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene Burcham", written in a cursive style.

Darlene L. Burcham
City Manager

DLB: bdf

Attachment

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Robert K. Bengtson, Director of Public Works
Robert L. White, Manager, Purchasing

CM02-00079

Bid Tabulation
Bids were received, publicly opened and read at 2:00 p.m., April 12, 2002
For
Landscape Maintenance Trucks
Bid Number 02-03-27

QTY	DESCRIPTION	VENDOR	VENDOR
		Super Lawn Truck, Inc.	Magic City Motors
3 ea	Cab/chassis	\$31,464.00 ea*	\$42,162.00 ea
3 ea	Landscape Maintenance Bodies	\$23,448.83 ea*	No bid

* Indicates Recommendation

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

SJT
4/23/02

A RESOLUTION accepting the bid of Super Lawn Truck, Inc., for the purchase of three (3) new landscape maintenance cab/chassis and bodies, upon certain terms and conditions; and rejecting all other bids made for such items.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The bid submitted by Super Lawn Truck, Inc., to furnish three (3) new landscape maintenance cab/chassis and bodies at a total cost of \$164,738.49, as set forth in the City Manager's letter to Council dated May 6, 2002, is hereby ACCEPTED.
2. The City's Manager of Supply Management is hereby authorized to issue the requisite purchase orders for the purchase of such equipment, and the City Manager is authorized to execute, for and on behalf of the City, any required purchase agreements with respect to the aforesaid equipment, such documents to be in form approved by the City Attorney.
3. Any and all other bids made to the City for the aforesaid items are hereby REJECTED, and the City Clerk is directed to notify each such bidder and to express to each the City's appreciation for such bid.

ATTEST:

City Clerk.



Office of the City Manager

May 6, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Jr., Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Wireless E911 Funding

Background:

The State of Virginia mandated that localities take responsibility for answering wireless E911 calls instead of routing them and having them answered by the State Police. The Virginia State Wireless E911 Services Board provides funding to the localities for staffing and equipment to provide this service. The State currently collects seventy-five (75) cents per month for each wireless telephone user to fund localities for the expenses for these services.

On December 12, 2001, the Virginia State Wireless E911 Services Board awarded the City of Roanoke an additional \$349,790 to complete Phases I and II for fiscal year 2001/2002. Wireless Phase II, which provides the location of the caller, is scheduled for implementation October 1, 2002. There is no requirement for matching funds.

Recommended Action:

Appropriate \$44,000 to E911 Center 001-430-4130-2020 for E911 Telephone Bill funding. Appropriate \$305,790 to an account to be established by the Director of Finance for funding upgrades to software and hardware.

Respectfully submitted,

Darlene L. Burcham
 City Manager

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Jesse A. Hall, Director of Finance
 Barry L. Key, Director, Management and Budget
 Joe D. Slone, Director of Technology
 Ronnie Wade, E911 Center Superintendent

#CM02-00083

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and Department of Technology Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 General and Department of Technology Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

General Fund

Appropriations

Public Safety	\$ 46,912,023
Communications - E-911 (1)	2,230,157

Revenues

Other Categorical Aid	\$ 16,442,192
E-911 Wireless (2)	276,418

Department of Technology Fund

Appropriations

Capital Outlay	\$ 11,796,604
E-911 Upgrades to Software and Hardware (3)	305,790

Revenues

Nonoperating	\$ 2,932,082
Virginia State E-911 Services Board (4)	305,790

1) Telephone	(001-430-4130-2020)	\$ 44,000
2) E-911 Wireless	(001-110-1234-0654)	44,000
3) Other Equipment	(013-430-9870-9015)	305,790
4) Virginia State E-911 Services Board	(013-110-1234-1266)	305,790

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.



May 6, 2002

Honorable Ralph K. Smith, Mayor
 Honorable William H. Carder, Vice-Mayor
 Honorable William D. Bestpitch, Council Member
 Honorable C. Nelson Harris, Council Member
 Honorable W. Alvin Hudson, Council Member
 Honorable William White, Sr., Council Member
 Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of Council:

Subject: Donation of Police Horse

Background:

The Roanoke City Police Department's Mounted Patrol Unit was formed in 1993. The Mounted Patrol Unit has relied on numerous donations to maintain its operations. In July of 2000, Ms. Diane Dominguez of Palm City, Florida donated two Friesian horses to the program. Both of these horses have been trained and are utilized by the Unit. Ms. Dominguez has offered to donate another Friesian horse to the Mounted Patrol Unit. The horse is a three-year old gelding, docile, and suitable for police training. The horse is valued at \$30,000. Obtaining this horse would allow the retirement of one of the Unit's older mounts.

City Code Section 2-263 requires Council action to approve acceptance of gifts exceeding \$5,000 in value.

Recommended Action:

Authorize acceptance of this Friesian horse from Ms. Diane Dominguez of Palm City, Florida.

Sincerely,

Darlene L. Burcham
 City Manager

DLB/ALG/wa

c: Mary F. Parker, City Clerk
 William M. Hackworth, City Attorney
 Jesse A. Hall, Director of Finance
 A. L. Gaskins, Police

#CM02-00072

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting the donation of a Friesian horse for use by the City's Mounted Patrol Unit of the Police Department, and expressing appreciation for such donation.

WHEREAS, Diane Dominguez of Palm City, Florida, has generously offered to donate a Friesian horse, the same being a 3-year old gelding, which horse is said to be suitable for use by the City's Mounted Patrol Unit of the Police Department; and

WHEREAS, it is the recommendation of the City Manager that City Council accept the horse for use by the City's Mounted Patrol Unit of the Police Department in accordance with the provisions of §2-263, Code of the City of Roanoke (1979), as amended, which provides that gifts valued in excess of \$5,000 be accepted by resolution of City Council.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. This Council hereby accepts the donation of a Friesian horse for use by the City's Mounted Patrol Unit of the Police Department, in accordance with the recommendation contained in the City Manager's letter to City Council dated May 6, 2002.

2. This Council wishes to express its appreciation and that of the citizens of the City of Roanoke to Ms. Dominguez for her generous offer to the City.

3. The City Clerk is directed to transmit a copy of this resolution to Diane Dominguez, Palm City, Florida, expressing the City's appreciation of this donation.

ATTEST:

City Clerk.



May 6, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Competitive Negotiation

Background:

Roanoke Public Libraries desires the opportunity to enter into a contractual agreement with an individual or restaurant corporation to operate a coffee shop in the lower level of the Main Library, off Bullitt Avenue, with both indoor and outdoor areas. The vendor will be required to

- make any needed renovations, including furnishings, to the existing space to make it suitable for a coffee shop;
- be responsible for maintenance, repairs, and upkeep;
- pay minimal rent and/or small percentage of profits to the library system;
- adhere to all other conditions specified in the contract.

Virginia Code Section 63.1-155 requires that the Department for the Blind and Visually Impaired have first priority in assuming the operation of such a facility in a public building. If they choose not to exercise this option, we will send out the Request for Proposals.

•
Considerations:

Although the sealed bid method of procurement would normally be used, it is not practicable or fiscally advantageous to the public in procuring the above service. The experience, qualifications, and references of individuals and/or corporations that can provide the above listed service are of primary importance. The highest quality of service (food, pricing, operations, and environment) is desired for library customers, in order to have a successful operation. Therefore, the process of competitive negotiation using the request for proposal has been identified as the best method for procurement of these services.

Honorable Mayor and Members of Council
May 6, 2002
Page 2

The Code of the City of Roanoke provides, as an alternate method of procurement to using the bid process, a process identified as "competitive negotiation." Prior approval by Council is necessary before the alternate method may be used. See City Code Section 23.1-4(e). This method will allow for negotiations with two (2) or more providers to determine the best qualified at the most competitive price or rate.

Recommended Action:

City Council authorize the use of competitive negotiation as the method to secure vendors to provide appropriate services as identified in this letter.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Darlene L. Burcham", written over a horizontal line.

Darlene L. Burcham
City Manager

DLB:meg

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director of Management and Budget
Wlodek Zaryczny, Director of Libraries
Robert L. White, Purchasing Manager

#CM02-00077

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION designating the procurement method known as competitive negotiation, rather than the procurement method known as competitive sealed bidding, to be used for the procurement of an operator of coffee shop services for the Main Library; and documenting the basis for this determination.

WHEREAS, the City seeks to procure proposals from vendors to establish, operate and maintain a coffee shop in the Main Library, off Bullitt Avenue, with both indoor and outdoor areas.

WHEREAS, this Council finds that the use of the procurement method of competitive negotiation for the above mentioned services will allow for consideration of the factors of experience, qualifications, and references which are of equal, if not greater, importance than the cost.

WHEREAS, City Council is of the opinion that such services should be procured by competitive negotiation rather than competitive sealed bidding.

THEREFORE, BE IT RESOLVED by this Council of the City of Roanoke as follows:

1. Pursuant to Section 23.1-4 (e), Code of the City of Roanoke, (1979), as amended, this Council finds that the procurement method known as competitive sealed bidding is not practicable and/or is not fiscally advantageous to the public for the reasons set forth above for the procurement of a vendor to establish, operate and maintain a coffee shop at the Main Library.

2. City Council directs that the procurement method known as competitive negotiation shall be used for the procurement of coffee shop services, as more fully set forth in the City Manager's Letter to this Council dated May 6, 2002.

3. This Resolution documents the basis for City Council's determination.

ATTEST:

City Clerk



May 6, 2002

Honorable Ralph K. Smith, Mayor
Honorable William H. Carder, Vice Mayor
Honorable William D. Bestpitch, Council Member
Honorable C. Nelson Harris, Council Member
Honorable W. Alvin Hudson, Jr., Council Member
Honorable William White, Sr., Council Member
Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

Subject: Library PC Navigators
 Grant and Library Website
 Grant

Background:

In the fall of 2001, Roanoke Public Libraries applied to the Library of Virginia for a grant that would fund a program for middle and high school age students to be trained to assist library patrons in using computers in the Main Library and the library branches. A grant in the amount of \$5,000 was awarded.

In the fall of 2001, Roanoke Public Libraries applied to the Library of Virginia for an additional grant that would enable the creation of a library website. A grant for \$5,000 was awarded.

Considerations:

The PC Navigators grant will help the library meet the diverse needs of patrons whose computer skills and knowledge vary widely. It will help the teen participants to: reinforce computer skills required by the Virginia Standards of Learning, learn to provide meaningful service to others, and develop interpersonal skills. The grant provides funding for small stipends for the program participants.

The library website grant will enable the library to broaden its customer reach by offering online information on the different library departments and their services, including circulation (new acquisitions and material reviews), reference (links to

Honorable Mayor and Members of Council
May 6, 2002
Page 2

online research databases and reference question email), the Virginia Room, the Afro-Lee Americana Collection, library programs, Friends of the Library, and other updates. Additional links on the website would include lifelong learning opportunities, pertinent local information, cultural events, and other aspects relating to the uniqueness of the Roanoke Valley. A web site will also serve as a marketing tool, positioning the library as a state of the art facility.

Recommended Action:

City Council accept these two grants from the Library of Virginia and appropriate funding from each to revenue and expenditure accounts to be established in the Grant Fund.

Respectfully submitted,



Darlene L. Burcham
City Manager

DLB:meg

c: Mary F. Parker, City Clerk
William M. Hackworth, City Attorney
Jesse A. Hall, Director of Finance
Barry L. Key, Director, Management & Budget
Robert L. White, Purchasing Manager
Wlodek Zaryczny, Director of Libraries

#CM02-00078

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 Grant Fund Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 Grant Fund Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

Appropriations

Parks, Recreation and Cultural	\$ 33,000
Navigator Student Computer Training (1)	5,000
Wow We're on the Web (2).	5,000

Revenues

Parks, Recreation and Cultural	\$ 33,000
Navigator Student Computer Training (3)	5,000
Wow We're on the Web (4).	5,000

1) Fees for Professional Services	(035-650-9741-2010)	\$ 5,000
2) Fees for Professional Services	(035-650-9742-2010)	5,000
3) Navigator Student Computer Training	(035-110-9741-9741)	5,000
4) Wow We're on the Web	(035-110-9742-9742)	5,000

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall
be in effect from its passage.

ATTEST:

City Clerk.

JLC

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION accepting a Library PC Navigators Grant and a Library Website Grant from the Library of Virginia.

BE IT RESOLVED by the Council of the City of Roanoke that:

1. The City hereby accepts a Library PC Navigators Grant in the amount of \$5,000.00, from the Library of Virginia, to be used to fund a program to train middle and high school age students to assist library patrons in using computers in the Main Library and library branches, as more particularly set forth in the May 6, 2002, report of the City Manager to this Council.
2. The City hereby accepts a Library Website Grant in the amount of \$5,000.00, from the Library of Virginia, to be used to enable the creation of a library website, as more particularly set forth in the May 6, 2002, report of the City Manager to this Council.
3. The City Manager is authorized to execute any and all requisite documents, including any documents providing for indemnification by the City as are required for the City's acceptance of these grants, upon form approved by the City Attorney, and to furnish such additional information as may be required in connection with the City's acceptance of this grant.

ATTEST:

City Clerk.

CITY OF ROANOKE
DEPARTMENT OF FINANCE
215 Church Avenue, S.W. Room 461
P.O. Box 1220
Roanoke, VA 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-2940

May 6, 2002

The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

SUBJECT: March Financial Report

This financial report covers the first nine months of the 2001-2002 fiscal year. The following narrative discusses revenues and expenditures to date.

REVENUE

General Fund revenues reflect an increase of 3.50% or \$4,015,000 compared to FY01. Variances in specific categories of revenues are as follows:

General Property Taxes increased 4.80% or \$1,950,000. The first installment of real estate tax, the largest tax collected by the City, was due on October 5th and the second installment was due April 5th. Real estate tax revenues through the end of March have increased 4.17%, and this category is anticipated to exceed targeted revenue estimates as the second installment is fully collected. Delinquent collections of real estate tax have also grown, reflective of concerted efforts by the Office of Billings and Collections to collect past due amounts. The tax sales held by the City in recent years have also positively impacted collections of delinquent real estate revenues. Personal property taxes, the second largest tax, are due May 31st. The tax levy has been prepared, and it reflects a decline of approximately 4% compared to the prior year. The decline in the personal property tax is attributed to lower assessments for vehicles, business personal property and machinery and tools. The status of this tax will continue to be closely monitored as we approach the due date in May.

Other Local Taxes increased 1.56% or \$643,000. Sales tax declined 2.56% or \$308,000 from the prior year, a reflection of the economic decline experienced in recent months. This tax is expected to under perform our budgeted estimate by approximately 3% or \$530,000. Gas utility tax decreased due to a mild fall and winter. Cigarette and transient room tax rate increases have generated additional revenues, but the revenue growth by the increased cigarette tax has not been commensurate to the tax rate increases. The increased cigarette tax revenue will be dedicated to debt service for the series 2002 bonds. The increased transient room tax revenues are being used to fund an additional contribution to the Roanoke Valley Convention and Visitors Bureau. Cellular phone utility tax is also up due to the increasing number of subscribers, and prepared food and beverage taxes are up approximately 3.6%. Business license tax (BPOL) was due March 1. This tax will perform at approximately the same level as FY01 which will produce revenue slightly greater than the FY02 budget.

Permits, Fees and Licenses are up \$125,000 or 19.92% due to increases in rates charged for building, electrical and plumbing inspections as well as the establishment of new construction-related fees.

Fines and Forfeitures rose 35.96% or \$220,000. General District Court fines are up, and revenues from parking tickets rose approximately 58% as compared to the prior year. Civilianizing of the ticketing function combined with an increase in parking fines has led to an increase in parking ticket revenues.

Revenue from Use of Money and Property decreased \$45,000 or 6.37%. Significantly lower short term interest rates cause this decline. Timing differences in the receipt of rental income from the State for Municipal North (Social Services) has caused rental revenue to drop as of March.

Miscellaneous Revenue is up \$118,000 or 74.83%. This growth is the result of the transfer of \$105,000 to the General Fund from the Transportation Fund and an increase in miscellaneous revenue. The Transportation Fund is providing funding to the General Fund in FY02 to partially fund the subsidy to the Greater Roanoke Transit Company (GRTC). In prior years, that subsidy was paid through the Transportation Fund. A decrease in the proceeds from sale of surplus property partially offsets these increases.

EXPENDITURES AND ENCUMBRANCES

General fund expenditures and encumbrances have increased 5.83% or \$8,337,000 since FY01. Variances in individual expenditure categories are discussed as follows:

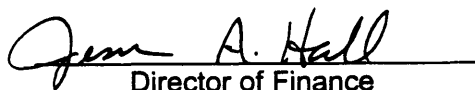
Public Safety expenditures increased 5.30% or \$1,763,000. Salary costs of the labor-intensive Police and Fire departments increased, as budgeted. Charges from the Department of Technology to the Police Department increased. Workers' compensation expenses also rose in the Public Safety category, and these often fluctuate from year to year based on the given claims of a particular year. The E-911 Wireless cost center is new in FY02 as are the revenues from the State to conduct this function. Communications (E-911 and Radio Shop) expenditures increased due to increased personal services charges and the scheduled payment of the City's portion of the annual maintenance agreement for the regional radio system.

Health and Welfare expenditures rose \$1,125,000 or 6.25%. Salary and client assistance costs in the Social Services department are up, as are expenditures under the Comprehensive Services Act.

Community Development expenditures increased 13.21% or \$429,000 due to the inclusion of the Neighborhood Partnership department as part of the General Fund. This department was included in the Grant Fund in prior years. Memberships and Affiliations expenditures increased due to increased contributions to the Roanoke Valley Convention and Visitors Bureau.

Nondepartmental expenditures increased 44.93% or \$3,310,000. These expenditures have risen sharply on a year-to-date basis due to improved administrative procedures of establishing and funding of CMERP projects and equipment purchases with one City Council report. By appropriating the entire CMERP funding at the beginning of the fiscal year, these transfers likewise all occur at the beginning of the year, rather than throughout the year as in the past. Transfers to the Capital Projects, Technology and Fleet Funds were significantly impacted by this change in policy. The transfer of the GRTC subsidy, which was previously paid through the Transportation Fund, also contributed to the increase in this category.

I would be pleased to answer questions City Council may have regarding the monthly financial statements.


Director of Finance

JAH/tht
Attachments

**CITY OF ROANOKE, VIRGINIA
SUMMARY OF CITY MANAGER TRANSFERS
AND AVAILABLE CONTINGENCY
MARCH 31, 2002**

<u>Transfer Number</u>	<u>Date</u>	<u>Explanation</u>	<u>From</u>	<u>To</u>	<u>Amount</u>
<u>General Fund:</u>					
CMT-1863	07/30/01	Donation to Brain Injury Association	Jail	Membership and Affiliations	\$ 5,000
CMT-532	08/09/01	Tipping Fees	Solid Waste Management	Engineering	568
CMT-533	08/09/01	Tipping Fees	Solid Waste Management	Building Maintenance	2,270
CMT-1176	08/28/01	Deficit in State and Local Hospitalization Reimbursements	Human Services Support	Hospitalization Program	995
CMT-1177	08/31/01	Fees Due to Downtown Roanoke Inc. Related to Farmer's Market	Contingency*	Memberships and Affiliations	15,856
CMT-536	10/04/01	Consultant Payment for Health Care Renewal	Residual Fringe Benefits	Human Resources	13,000
CMT-1195	10/04/01	Adoption Incentive Funds	Income Maintenance	Social Services-Services	15,089
CMT-544	11/20/01	Feasibility Study Related to Proposed Art Center	Residual Fringe Benefits	City Manager	75,000
CMT-1214	12/12/01	Contribution to Greater Raleigh Court Civic League	Pay Raise/Supplemental Budget	Memberships and Affiliations	25,000
CMT-548	12/13/01	RRHA Property Reimbursement	Juvenile and Domestic Relations Court Services	Housing and Neighborhood Services	53,700
CMT-550	01/16/02	Fund Professional Fees Needed for Year	Residual Fringe Benefits	City Attorney	20,000
CMT-1230	01/17/02	Additional Advertising Due to Increase in IFBs and RFPs	General Services	Purchasing	5,000
CMT-554	01/31/02	Furnishings in Court and Jury Rooms	Jail	Circuit Court Judges	55,000
CMT-556	02/08/02	Transfer Housing and Neighborhood Services Coordinator Position	City Manager	Housing and Neighborhood Services	38,255
CMT-558	02/08/02	Transfer Executive Secretary Position	Planning and Code Enforcement	Housing and Neighborhood Services	22,036
CMT-561	02/08/02	Transfer Project Specialist Position	Housing and Neighborhood Services	Director of Public Works	42,958
CMT-562	02/22/02	Supplement Operating Expenses	Management and Budget	Director of Public Works	2,000
CMT-568	03/19/02	Funding for 22 Transferred Employees	Parks	Streets and Traffic	50,595
CMT-570	03/19/02	City Share of Electric Service			
		Negotiations with AEP	Building Maintenance	Memberships and Affiliations	44,750
CMT-572	03/25/02	Strategic Business Planning Consultant	Outreach Detention	Human Services Support	9,313
				Total General Fund	<u>\$496,385</u>
<u>Capital Projects Fund:</u>					
CMT-1180	09/05/01	Additional Project Expenses	Broadway Street Bridge	First Street Bridge	\$ 23,550
CMT-1244	02/14/02	Preston Tennis Court Renovations	Special Park Project	Athletic Court Improvements	522
			Grants		
CMT-564	02/20/02	Construction Cost of Fire-EMS Regional Training Center	Fire EMS Facility Improvement Program	Regional Fire EMS Training Center	8,800
				Total Capital Projects Fund	<u>\$ 32,872</u>
<u>Available Contingency</u>					
Balance of Contingency at July 1, 2001					\$500,000
*Contingency Appropriations From Above					(15,856)
Contingency Appropriations Through Budget Ordinances:					
BO 35515	08/20/01	Drug Prosecutor	Contingency	Transfer to Grant Fund	(8,170)
BO 35544	09/04/01	Zoning Inspector Positions	Contingency	Transfer to Grant Fund	(80,996)
Available Contingency at March 31, 2002					<u>\$394,978</u>

**CITY OF ROANOKE, VIRGINIA
GENERAL FUND**

STATEMENT OF REVENUE

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Mar 31 2000-2001	July 1 - Mar 31 2001-2002	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
General Property Taxes	\$ 40,617,979	\$ 42,568,393	4.80 %	\$ 77,105,366	55.21%
Other Local Taxes	41,109,695	41,752,489	1.56 %	58,016,878	71.97%
Permits, Fees and Licenses	629,412	754,820	19.92 %	957,150	78.86%
Fines and Forfeitures	612,312	832,523	35.96 %	1,014,600	82.05%
Revenue from Use of Money and Property	704,244	659,404	-6.37 %	1,118,330	58.96%
Grants-in-Aid Commonwealth	26,516,571	27,348,819	3.14 %	46,402,072	58.94%
Grants-in-Aid Federal Government	17,180	17,179	-0.01 %	34,300	50.08%
Charges for Services	2,725,716	2,846,778	4.44 %	3,888,997	73.20%
Miscellaneous Revenue	157,394	275,168	74.83 %	560,236	49.12%
Internal Services	1,479,086	1,529,279	3.39 %	2,330,692	65.61%
Total	\$ 114,569,589	\$ 118,584,852	3.50 %	\$ 191,428,621	61.95%

STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year		
	July 1 - Mar 31 2000-2001	July 1 - Mar 31 2001-2002	Percentage of Change	Unencumbered Balance	Revised Appropriations	Percent of Budget Obligated
General Government	\$ 8,672,390	\$ 8,847,163	2.02 %	\$ 3,208,677	\$ 12,055,840	73.38%
Judicial Administration	4,215,546	4,352,795	3.26 %	2,076,584	6,429,359	67.70%
Public Safety	33,231,383	34,994,134	5.30 %	11,873,889	46,868,023	74.67%
Public Works	18,497,827	19,266,060	4.15 %	5,595,982	24,862,042	77.49%
Health and Welfare	18,007,609	19,132,785	6.25 %	8,223,528	27,356,313	69.94%
Parks, Recreation and Cultural	3,646,275	3,724,996	2.16 %	1,231,773	4,956,769	75.15%
Community Development	3,243,554	3,672,130	13.21 %	1,598,130	5,270,260	69.68%
Transfer to Debt Service Fund	11,763,841	12,147,503	3.26 %	119,396	12,266,899	99.03%
Transfer to School Fund	34,350,055	34,517,645	0.49 %	11,496,917	46,014,562	75.01%
Nondepartmental	7,367,541	10,677,810	44.93 %	2,773,169	13,450,979	79.38%
Total	\$ 142,996,021	\$ 151,333,021	5.83 %	\$ 48,198,026	\$ 199,531,046	75.84%

**CITY OF ROANOKE, VIRGINIA
SCHOOL FUND STATEMENT OF REVENUE**

Revenue Source	Year to Date for the Period			Current Fiscal Year	
	July 1 - Mar 31 2000-2001	July 1 - Mar 31 2001-2002	Percentage of Change	Revised Revenue Estimates	Percent of Revenue Estimate Received
State Sales Tax	\$ 5,943,364	\$ 5,930,583	-0.22 %	\$ 9,492,986	62.47 %
Grants-in-Aid Commonwealth	29,996,013	28,135,943	-6.20 %	41,656,787	67.54 %
Grants-in-Aid Federal Government	78,788	73,687	-6.47 %	115,390	63.86 %
Charges for Services	955,336	1,232,842	29.05 %	1,971,820	62.52 %
Transfer from General Fund	34,350,055	34,517,645	0.49 %	46,014,562	75.01 %
Special Purpose Grants	7,180,783	6,794,945	-5.37 %	10,529,069	NA
Total	\$ 78,504,339	\$ 76,685,645	-2.32 %	\$ 109,780,614	69.85 %

SCHOOL FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

Expenditures	Year to Date for the Period			Current Fiscal Year	
	July 1 - Mar 31 2000-2001	July 1 - Mar 31 2001-2002	Percentage of Change	Unencumbered Balance	Percent of Budget Obligated
Instruction	\$ 53,686,383	\$ 52,748,139	-1.75 %	\$ 21,905,310	70.66 %
General Support	2,845,346	2,496,248	-12.27 %	1,346,911	64.95 %
Transportation	2,624,417	2,819,749	7.44 %	1,068,097	72.53 %
Operation and					
Maintenance of Plant	7,231,493	7,020,282	-2.92 %	3,336,183	67.79 %
Facilities	2,033,304	1,643,448	-19.17 %	(12,398)	100.76 %
Other Uses of Funds	5,699,265	6,120,753	7.40 %	486,748	92.63 %
Special Purpose Grants	9,925,489	10,529,069	6.08 %	-	NA
Total	\$ 84,045,697	\$ 83,377,688	-0.79 %	\$ 28,130,851	74.77 %

CITY OF ROANOKE, VIRGINIA
SCHOOL FOOD SERVICE FUND STATEMENT OF REVENUE

<u>Revenue Source</u>	<u>Year to Date for the Period</u>			<u>Current Fiscal Year</u>	
	<u>July 1 - Mar 31</u> <u>2000-2001</u>	<u>July 1 - Mar 31</u> <u>2001-2002</u>	<u>Percentage</u> <u>of Change</u>	<u>Revised</u> <u>Revenue</u> <u>Estimates</u>	<u>Percent of</u> <u>Revenue</u> <u>Estimate</u> <u>Received</u>
Grants-in-Aid Commonwealth	\$ 85,762	\$ 84,483	-1.49 %	\$ 84,464	100.02 %
Grants-in-Aid Federal Government	1,830,773	2,001,844	9.34 %	2,891,594	69.23 %
Charges for Services	1,028,286	1,105,768	7.54 %	1,545,256	71.56 %
Total	\$ 2,944,821	\$ 3,192,095	8.40 %	\$ 4,521,314	70.60 %

SCHOOL FOOD SERVICE FUND STATEMENT OF EXPENDITURES AND ENCUMBRANCES

<u>Expenditures</u>	<u>Year to Date for the Period</u>			<u>Current Fiscal Year</u>		
	<u>July 1 - Mar 31</u> <u>2000-2001</u>	<u>July 1 - Mar 31</u> <u>2001-2002</u>	<u>Percentage</u> <u>of Change</u>	<u>Unencumbered</u> <u>Balance</u>	<u>Revised</u> <u>Appropriations</u>	<u>Percent of</u> <u>Budget</u> <u>Obligated</u>
Food Services	\$ 3,218,146	\$ 3,289,464	2.22 %	\$ 1,273,523	\$ 4,562,967	72.09 %
Facilities	-	-	- %	16,978	16,978	- %
Total	\$ 3,218,146	\$ 3,289,464	2.22 %	\$ 1,290,501	\$ 4,579,965	71.82 %

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF MARCH 31, 2002**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
General Government	\$ 12,722,622	\$ 10,838,348	\$ 1,884,274	\$ 145,787	\$ 1,738,487
Flood Reduction	14,332,065	8,353,573	5,978,492	239,924	5,738,568
Economic Development	24,259,525	18,736,966	5,522,559	304,708	5,217,851
Community Development	6,016,143	3,153,130	2,863,013	712,709	2,150,304
Public Safety	8,252,126	7,158,190	1,093,936	266,051	827,885
Recreation	26,890,741	5,789,810	21,100,931	553,363	20,547,568
Streets and Bridges	25,363,304	20,744,616	4,618,688	863,933	3,754,755
Storm Drains	2,689,631	1,347,243	1,342,388	640,983	701,405
Traffic Engineering	5,445,380	3,898,438	1,546,942	176,193	1,370,749
Nondepartmental	410,000	410,000	-	-	-
Capital Improvement Reserve	23,212,248	-	23,212,248	-	23,212,248
Total	\$ 149,593,785	\$ 80,430,314	\$ 69,163,471	\$ 3,903,651	\$ 65,259,820

**CITY OF ROANOKE, VIRGINIA
SCHOOL CAPITAL PROJECTS FUND
STATEMENT OF EXPENDITURES, ENCUMBRANCES, AND
UNENCUMBERED APPROPRIATIONS SUMMARY AS OF MARCH 31, 2002**

	Budget	Expenditures To Date	Unexpended Balance	Outstanding Encumbrances	Unobligated Balance
Elementary Schools Renovation	\$ 17,484,240	\$ 12,362,063	\$ 5,122,177	\$ 398,682	\$ 4,723,495
Middle Schools Renovation	2,751,455	2,725,893	25,562	-	25,562
High Schools Renovation	3,500,000	3,403,170	96,830	39,653	57,177
Interest Expense	262,929	257,955	4,974	-	4,974
Capital Improvement Reserve	1,051,271	-	1,051,271	-	1,051,271
Total	\$ 25,049,895	\$ 18,749,081	\$ 6,300,814	\$ 438,335	\$ 5,862,479

**CITY OF ROANOKE, VIRGINIA
CAPITAL PROJECTS FUND
COMPARATIVE STATEMENT OF REVENUES
FOR THE 9 MONTHS ENDING MARCH 31, 2002**

	FY 2002	FY 2001
Interest Revenue:		
Interest on Bond Proceeds	\$ 485,011	\$ 1,124,714
Interest on SunTrust Lease	11,278	1,851
Interest on Idle Working Capital	370,732	777,896
Total Interest Revenue	<u>867,021</u>	<u>1,904,461</u>
Multi Year Revenues:		
Intergovernmental Revenue:		
Federal Government:		
FEMA - Garden City	-	2,018
FEMA - Regional Mitigation Project	19,223	239,409
Commonwealth:		
VDES - Garden City Mitigation Project	10,143	-
Virginia Transportation Museum - ISTE A	16,176	18,368
VDES - 1998 Regional Mitigation	-	3,733
Passenger Station Enhancement - TEA-21	118,989	-
Total Intergovernmental Revenue	<u>164,531</u>	<u>263,528</u>
Revenue from Third Parties:		
Verizon - Brambleton Avenue Signals	-	36,055
Mill Mountain Visitors Center - Private Donations	-	10,000
Victory Stadium - Private Donations	-	7
First Union Penalty Payment	-	34,000
First Union Job Grant Repayment	44,400	-
Times-World Corporation - Land Sale	3,100	-
Trigon Insurance - Land Sale	100	-
Bill and Melinda Gates Foundation	-	137,445
Westview Terrace - Land Sale	-	125,110
Roanoke Times Air Rights Lease	8,500	-
Total Revenue from Third Parties	<u>56,100</u>	<u>342,617</u>
Other Revenue:		
Transfers from General Fund	4,438,517	3,295,758
Transfers from Water Fund	375,000	2,900
Transfers from Sewage Fund	-	12,600
Transfers from Management Services Fund	-	100,000
General Obligation Bond Proceeds - Series 2002	41,530,000	-
Total Other Revenue	<u>46,343,517</u>	<u>3,411,258</u>
Total	<u><u>\$ 47,431,169</u></u>	<u><u>\$ 5,921,864</u></u>

**CITY OF ROANOKE, VIRGINIA
WATER FUND
COMPARATIVE INCOME STATEMENT
FOR THE 9 MONTHS ENDING MARCH 31, 2002**

	<u>FY 2002</u>	<u>FY 2001</u>
Operating Revenues		
Commercial Sales	\$ 3,388,970	\$ 2,914,382
Domestic Sales	2,873,559	2,665,255
Industrial Sales	541,949	194,232
Town of Vinton	21,690	13,068
City of Salem	22,863	23,758
County of Botetourt	174,295	170,412
County of Bedford	15,929	9,687
Customer Services	488,280	330,393
Charges for Services	<u>1,916,521</u>	<u>2,524,083</u>
Total Operating Revenues	<u>9,444,056</u>	<u>8,845,270</u>
Operating Expenses		
Personal Services	3,192,673	3,033,632
Operating Expenses	3,394,738	3,134,825
Depreciation	<u>1,258,973</u>	<u>1,256,323</u>
Total Operating Expenses	<u>7,846,384</u>	<u>7,424,780</u>
Operating Income	<u>1,597,672</u>	<u>1,420,490</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	157,491	327,538
Rent	56,515	49,565
Sale of Land	375,000	-
Miscellaneous Revenue	41,641	7,527
Interest and Fiscal Charges	(776,298)	(844,918)
Transfer to Capital Projects Fund	<u>(375,000)</u>	<u>(2,900)</u>
Net Nonoperating Expenses	<u>(520,651)</u>	<u>(463,188)</u>
Net Income	<u><u>\$ 1,077,021</u></u>	<u><u>\$ 957,302</u></u>

**CITY OF ROANOKE, VIRGINIA
SEWAGE TREATMENT FUND
COMPARATIVE INCOME STATEMENT
FOR THE 9 MONTHS ENDING MARCH 31, 2002**

	<u>FY 2002</u>	<u>FY 2001</u>
Operating Revenues		
Sewage Charges - City	\$ 5,464,238	\$ 5,459,985
Sewage Charges - Roanoke County	571,661	667,386
Sewage Charges - Vinton	165,136	181,493
Sewage Charges - Salem	618,229	687,191
Sewage Charges - Botetourt County	111,665	109,143
Customer Services	166,942	187,469
Interfund Services	<u>130,933</u>	<u>132,972</u>
Total Operating Revenues	<u>7,228,804</u>	<u>7,425,639</u>
Operating Expenses		
Personal Services	1,594,742	1,428,050
Operating Expenses	4,385,371	4,200,312
Depreciation	<u>1,029,579</u>	<u>882,021</u>
Total Operating Expenses	<u>7,009,692</u>	<u>6,510,383</u>
Operating Income	<u>219,112</u>	<u>915,256</u>
Nonoperating Revenues (Expenses)		
Interest on Investments	134,128	302,149
Capital Contributions - Other Jurisdictions	930,095	-
Miscellaneous Revenue	91	-
Interest and Fiscal Charges	(569,682)	(580,903)
Transfer to Capital Projects Fund	<u>-</u>	<u>(12,600)</u>
Net Nonoperating Revenues (Expenses)	<u>494,632</u>	<u>(291,354)</u>
Net Income	<u><u>\$ 713,744</u></u>	<u><u>\$ 623,902</u></u>

**CITY OF ROANOKE, VIRGINIA
CIVIC CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE 9 MONTHS ENDING MARCH 31, 2002**

	<u>FY 2002</u>	<u>FY 2001</u>
Operating Revenues		
Rentals	\$ 374,208	\$ 336,192
Event Expenses	201,177	106,343
Display Advertising	75,200	56,000
Admissions Tax	132,159	108,282
Electrical Fees	12,991	22,439
Novelty Fees	27,146	34,511
Facility Surcharge	177,524	-
Facility Fees	-	117,084
Charge Card Fees	37,128	8,959
Parking Fees	-	-
Commissions	5,373	-
Catering/Concessions	887,447	802,571
Other	13,857	45,633
Total Operating Revenues	<u>1,944,210</u>	<u>1,638,014</u>
Operating Expenses		
Personal Services	1,485,238	1,003,507
Operating Expenses	1,465,791	1,519,880
Depreciation	218,131	331,795
Total Operating Expenses	<u>3,169,160</u>	<u>2,855,182</u>
Operating Loss	<u>(1,224,950)</u>	<u>(1,217,168)</u>
Nonoperating Revenues		
Transfer from General Fund - Operating	712,565	878,703
Transfer from General Fund - Nonoperating	830,000	-
Transfer from General Fund - Victory Stadium	102,278	-
Transfer from Capital Projects Fund	385,000	-
Interest on Investments	21,989	50,880
Miscellaneous	2,425	1,482
Total Nonoperating Revenues	<u>2,054,257</u>	<u>931,065</u>
Net Income (Loss)	<u><u>\$ 829,307</u></u>	<u><u>\$ (286,103)</u></u>

**CITY OF ROANOKE, VIRGINIA
TRANSPORTATION FUND
COMPARATIVE INCOME STATEMENT
FOR THE 9 MONTHS ENDING MARCH 31, 2002**

	<u>FY 2002</u>	<u>FY 2001</u>
Operating Revenues		
Century Station Parking Garage	\$ 290,572	\$ 266,452
Williamson Road Parking Garage	330,280	323,929
Market Square Parking Garage	161,716	156,523
Church Avenue Parking Garage	346,417	342,242
Tower Parking Garage	267,774	304,221
Williamson Road Surface Parking Lot	87,134	51,553
Gainsboro Parking Garage	3,599	-
Norfolk Avenue Surface Lot	12,847	-
Gainsboro Surface Lot	7,832	-
Total Operating Revenues	<u>1,508,171</u>	<u>1,444,920</u>
Operating Expenses		
Operating Expenses	682,710	606,026
Depreciation	406,682	434,211
Total Operating Expenses	<u>1,089,392</u>	<u>1,040,237</u>
Operating Income	<u>418,779</u>	<u>404,683</u>
Nonoperating Revenues (Expenses)		
Transfer From General Fund	32,000	761,358
Interest on Investments	21,292	19,074
Interest and Fiscal Charges	(372,842)	(391,311)
Operating Subsidy for GRTC	-	(637,637)
Transfer to GRTC - Capital	-	(49,000)
Transfer to GRTC - Shuttle Service	-	(65,000)
Transfer to General Fund	(104,918)	-
Miscellaneous	1,684	10,147
Net Nonoperating Expenses	<u>(422,784)</u>	<u>(352,369)</u>
Net Income (Loss)	<u><u>\$ (4,005)</u></u>	<u><u>\$ 52,314</u></u>

CITY OF ROANOKE, VIRGINIA
HOTEL ROANOKE CONFERENCE CENTER FUND
COMPARATIVE INCOME STATEMENT
FOR THE 9 MONTHS ENDING MARCH 31, 2002

	FY 2002			FY 2001
	CONFERENCE			
	COMMISSION (1)	CENTER (2)	TOTAL	
Operating Revenues				
Conference Center	\$ -	\$ 2,142,950	\$ 2,142,950	\$ 2,158,838
Total Operating Revenues	<u>-</u>	<u>2,142,950</u>	<u>2,142,950</u>	<u>2,158,838</u>
Operating Expenses				
Personal Services	34,985	-	34,985	68,315
Fees for Professional Services	56,810	-	56,810	29,217
Administrative Expenses	36,705	-	36,705	1,095
Conference Center	-	1,891,114	1,891,114	1,906,198
Total Operating Expenses	<u>128,500</u>	<u>1,891,114</u>	<u>2,019,614</u>	<u>2,004,825</u>
Net Operating Income (Loss)	<u>(128,500)</u>	<u>251,836</u>	<u>123,336</u>	<u>154,013</u>
Nonoperating Revenues (Expenses)				
Contributions from City of Roanoke	131,250	-	131,250	175,000
Contributions from Virginia Tech	131,250	-	131,250	175,000
HRCCC Settlement Proceeds	-	-	-	8,000,000
Construction Repairs	(57,428)	-	(57,428)	(3,166,070)
Interest on Investments	82,523	-	82,523	177,591
Rent, Taxes, Insurance, and Other	-	(99,828)	(99,828)	(141,199)
Net Nonoperating Revenues (Expenses)	<u>287,595</u>	<u>(99,828)</u>	<u>187,767</u>	<u>5,220,322</u>
Net Income Before Depreciation	159,095	152,008	311,103	5,374,335
Depreciation Expense/Replacement Reserve	<u>(340,943)</u>	<u>(107,100)</u>	<u>(448,043)</u>	<u>(449,262)</u>
Net Income (Loss)	<u>\$ (181,848)</u>	<u>\$ 44,908</u>	<u>\$ (136,940)</u>	<u>\$ 4,925,073</u>

Notes to Financial Statement:

- (1) The column entitled "Commission" represents Commission activity in the City's financial records.
- (2) The column entitled "Conference Center" represents actual revenue and expenses of the Conference Center, as provided by Doubletree Management.

**CITY OF ROANOKE, VIRGINIA
INTERNAL SERVICE FUNDS
COMPARATIVE INCOME STATEMENT
FOR THE 9 MONTHS ENDING MARCH 31, 2002**

					TOTALS	
	Department of Technology	Materials Control	Fleet Management	Risk Management	FY 2002	FY 2001
Operating Revenues						
Charges for Services	\$ 3,145,230	\$ 1,051,428	\$ 3,118,249	\$ 7,408,298	\$ 14,723,205	\$ 12,070,586
Total Operating Revenues	3,145,230	1,051,428	3,118,249	7,408,298	14,723,205	12,070,586
Operating Expenses						
Personal Services	1,628,737	51,463	968,478	127,686	2,776,364	2,673,197
Operating Expenses	1,016,982	1,091,680	783,970	8,007,716	10,900,348	7,478,788
Depreciation	381,298	-	1,506,080	-	1,887,378	1,690,346
Total Operating Expenses	3,027,017	1,143,143	3,258,528	8,135,402	15,564,090	11,842,331
Operating Income (Loss)	118,213	(91,715)	(140,279)	(727,104)	(840,885)	228,255
Nonoperating Revenues (Expenses)						
Interest Revenue	101,913	4,347	25,009	230,836	362,105	752,623
Interest Expense	(11,453)	-	(39,042)	-	(50,495)	-
Transfers To Other Funds	(41,350)	-	-	-	(41,350)	(104,000)
Loss on Disposal of Fixed Assets	-	-	(44,034)	-	(44,034)	(153,103)
Transfers From Other Funds	2,552,247	-	573,639	250,000	3,375,886	1,451,205
Other Revenue	10,183	-	-	-	10,183	-
Net Nonoperating Revenues	2,611,540	4,347	515,572	480,836	3,612,295	1,946,725
Net Income (Loss)	\$ 2,729,763	\$ (87,368)	\$ 375,293	\$ (246,268)	\$ 2,771,410	\$ 2,174,980

CITY OF ROANOKE, VIRGINIA
CITY TREASURER'S OFFICE
GENERAL STATEMENT OF ACCOUNTABILITY
FOR THE MONTH ENDED MARCH 31, 2002

TO THE DIRECTOR OF FINANCE:

GENERAL STATEMENT OF ACCOUNTABILITY OF THE CITY TREASURER OF THE CITY OF ROANOKE, VIRGINIA FOR
THE FUNDS OF SAID CITY FOR THE MONTH ENDED MARCH 31, 2002.

FUND	BALANCE AT FEB 28, 2002	RECEIPTS	DISBURSEMENTS	BALANCE AT MAR 31, 2002	BALANCE AT MAR 31, 2001
GENERAL	(\$17,509,993.38)	\$27,191,360.26	\$13,910,819.31	(\$4,229,452.43)	(\$2,869,163.97)
WATER	12,286,862.31	469,921.66	614,183.79	12,142,600.18	7,260,206.44
SEWAGE	7,088,521.11	1,903,898.17	1,657,090.45	7,335,328.83	7,053,769.92
CIVIC CENTER	3,183,173.08	446,136.33	436,395.56	3,192,913.85	1,171,081.97
TRANSPORTATION	2,297,394.61	725,935.96	181,978.69	2,841,351.88	414,423.04
CAPITAL PROJECTS	68,359,633.16	70,838.60	1,940,653.73	66,489,818.03	39,595,509.86
CONFERENCE CENTER	4,228,662.44	4,814.62	21,279.64	4,212,197.42	6,891,929.08
RKE VALLEY DETENTION COMM	2,326,340.99	226,347.48	245,859.49	2,306,828.98	2,765,223.88
DEBT SERVICE	14,185,189.89	18,771.71	901,111.88	13,302,849.72	12,675,381.65
DEPT OF TECHNOLOGY	5,928,537.16	292,721.34	417,327.73	5,803,930.77	5,048,473.11
MATERIALS CONTROL	270,857.02	64,534.19	29,575.51	305,815.70	128,130.20
MANAGEMENT SERVICES	0.00	0.00	0.00	0.00	171,926.24
FLEET MANAGEMENT	1,172,531.04	77,957.95	397,010.90	853,478.09	868,887.32
PAYROLL	(11,434,632.64)	14,635,415.19	16,937,175.60	(13,736,393.05)	(13,317,628.03)
RISK MANAGEMENT	11,667,508.64	946,714.19	675,962.55	11,938,260.28	11,454,328.73
PENSION	783,161.55	2,479,876.11	1,250,769.02	2,012,268.64	119,250.10
SCHOOL FUND	6,124,937.65	5,889,442.52	5,624,691.99	6,389,688.18	7,331,020.27
SCHOOL CAPITAL PROJECTS	6,746,458.32	207,463.22	56,367.70	6,897,553.84	1,831,503.59
SCHOOL FOOD SERVICE	(86,975.75)	801,556.15	469,649.91	244,930.49	776,061.20
FDETC	28,852.24	124,341.16	129,762.00	23,431.40	(6,871.66)
GRANT	702,986.44	571,589.28	604,322.76	670,252.96	1,239,794.47
TOTAL	\$118,350,005.88	\$57,149,636.09	\$46,501,988.21	\$128,997,653.76	\$90,603,237.41

CERTIFICATE

I HEREBY CERTIFY THAT THE FOREGOING IS A TRUE STATEMENT OF MY ACCOUNTABILITY TO THE CITY OF ROANOKE, VIRGINIA, FOR THE FUNDS OF THE VARIOUS ACCOUNTS THEREOF FOR THE MONTH ENDED MARCH 31, 2002.
THAT SAID FOREGOING:

CASH:

CASH IN HAND \$55,624.85
CASH IN BANK 2,377,211.02

INVESTMENTS ACQUIRED FROM COMPETITIVE PROPOSALS:

COMMERCIAL HIGH PERFORMANCE MONEY MARKET 7,863,381.50
COMMERCIAL PAPER 16,874,768.29
LOCAL GOVERNMENT INVESTMENT POOL 24,109,436.92
MONEY MANAGEMENT ACCOUNT 10,110,608.17
REPURCHASE AGREEMENTS 10,000,000.00
VIRGINIA AIM PROGRAM (U. S. SECURITIES) 57,606,623.01
TOTAL \$128,997,653.76

DATE: APRIL 15, 2002


DAVID C. ANDERSON, TREASURER

**CITY OF ROANOKE PENSION PLAN
STATEMENT OF CHANGES IN PLAN NET ASSETS
FOR THE 9 MONTHS ENDED MARCH 31, 2002**

	<u>FY 2002</u>	<u>FY 2001</u>
<u>Additions:</u>		
Employer Contributions	\$ 3,072,170	\$ 2,873,100
Investment Income		
Net Appreciation (Depreciation) in Fair Value of Investments	(4,717,758)	(31,557,454)
Interest and Dividend Income	<u>2,644,428</u>	<u>5,167,529</u>
Total Investment Income (Loss)	(2,073,330)	(26,389,925)
Less Investment Expense	<u>51,775</u>	<u>448,306</u>
Net Investment Income (Loss)	<u>(2,125,105)</u>	<u>(26,838,231)</u>
Total Additions (Deductions)	<u>\$ 947,065</u>	<u>\$ (23,965,131)</u>
 <u>Deductions</u>		
Benefits Paid to Participants	\$ 11,126,897	\$ 9,687,065
Administrative Expenses	<u>305,237</u>	<u>283,278</u>
Total Deductions	<u>11,432,134</u>	<u>9,970,343</u>
Net Increase (Decrease)	(10,485,069)	(33,935,474)
 Net Assets Held in Trust for Pension Benefits:		
Fund Balance July 1	<u>326,337,980</u>	<u>350,929,145</u>
Fund Balance March 31	<u>\$315,852,911</u>	<u>\$316,993,671</u>

**CITY OF ROANOKE PENSION PLAN
BALANCE SHEET
MARCH 31, 2002**

	<u>FY 2002</u>	<u>FY 2001</u>
<u>Assets</u>		
Cash	\$ 1,978,980	\$ 118,152
Investments, at Fair Value	315,180,828	317,983,790
Due from Other Funds	1,590	1,749
Other Assets	<u>5,434</u>	<u>5,097</u>
Total Assets	<u>\$ 317,166,832</u>	<u>\$ 318,108,788</u>
 <u>Liabilities and Fund Balance</u>		
Liabilities:		
Due to Other Funds	\$ 1,269,734	\$ 1,114,694
Accounts Payable	<u>44,187</u>	<u>423</u>
Total Liabilities	<u>1,313,921</u>	<u>1,115,117</u>
 Fund Balance:		
Fund Balance, July 1	326,337,980	350,929,145
Net Gain (Loss) - Year to Date	<u>(10,485,069)</u>	<u>(33,935,474)</u>
Total Fund Balance	<u>315,852,911</u>	<u>316,993,671</u>
 Total Liabilities and Fund Balance	<u>\$ 317,166,832</u>	<u>\$ 318,108,788</u>

CITY OF ROANOKE

CITY COUNCIL

215 Church Avenue, S.W., Room 456
Roanoke, Virginia 24011-1536
Telephone: (540) 853-2541
Fax: (540) 853-1145

RALPH K. SMITH
Mayor

May 6, 2002

Council Members:
William D. Bestpitch
William H. Carder
C. Nelson Harris
W. Alvin Hudson, Jr.
William White, Sr.
Linda F. Wyatt

The Honorable Ralph K. Smith, Mayor,
And Members of City Council
Roanoke, Virginia

Dear Mayor Smith and Members of City Council:

Subject: 2002-03 RVTV Budget

The City of Roanoke, the County of Roanoke, and the Town of Vinton jointly operate Roanoke Valley Television (RVTV). The initial equipment and facilities for the television station were funded through a \$480,000 capital grant from Cox Communications. The station is located at the Jefferson Center and currently employs five full-time staff members. The staff produces videos and shows for the local governments and school systems and cablecasts them, along with government meetings, on Cox Communications' Channel 3.

On June 8, 1992, City Council approved the Roanoke Regional Cable Television Agreement, which requires that the RVTV Operating Budget be approved by the governing bodies of the city, the county, and the town. Funding for the Operating Budget is shared by the three governments, based on the annual proportion of Cox subscribers located in each jurisdiction.

During 2001, RVTV produced 4 videos, 12 Inside Roanoke shows, 7 Roanoke Talk shows, 14 Spotlight on City Schools shows, 24 City Council meetings, and 7 special meetings for the City of Roanoke.

The Roanoke Regional Cable Television Committee approved the attached RVTV Operating Budget for Fiscal Year 2002-03 at its April meeting. This budget amounts to \$267,885.00 and is a 0.99 percent decrease from the current year's budget of \$269,616.00.

Cox Communications paid a 5 percent franchise fee to the local governments in 2001, which amounted to \$1,718,936.00. The local governments have traditionally agreed to allocate up to 20 percent of the franchise fees collected to the RVTV Operating Budget. For the coming year, that amount would be \$343,787.00. RVTV's requested budget of \$267,885.00 is \$75,902.00 less than that amount.

Cox calculates the percentage of subscribers in each locality (as of December 31, 2001) as follows:

Locality	Subscribers	Percentage (%)
City of Roanoke	32,332	55
Roanoke County	23,214	40
Town of Vinton	2,727	5

Based on these figures, each locality's contribution to the Operating Budget would be as follows:

Locality	Contribution
City of Roanoke	\$147,337.00
Roanoke County	\$107,154.00
Town of Vinton	\$13,394.00

On behalf of the city's representatives to the Roanoke Valley Cable Television Committee, and as City Council's representative to that committee, I am pleased to recommend that City Council approve the proposed RVTV budget for Fiscal Year 2002-03 in the amount of \$267,885.00, with the city's contribution totaling \$147,337.00.

Sincerely,



W. Alvin Hudson
Roanoke City Council Member

WAH:cls

Attachment

cc: Darlene L. Burcham, City Manager
Jesse Hall, Director of Finance
William Hackworth, City Attorney
Mary F. Parker, City Clerk
Barry Key, Director of Management and Budget
Elaine Simpson, Station Manager, RVTV
Catherine McCollough, VP and GM, Cox Communications
Gary Tegenkamp, Assistant City Attorney
Chris Slone, Public Information Officer

Roanoke Valley Television
R.V.T.V. Channel 3

2002 - 2003
Budget
Proposal

RVTV 2001 Productions Edited Videos

Title	Client	Length
Accent Excellence – Show Open	County Schools	:30
Arnold R. Burton – Recruitment	County Schools	13:30
Arnold R. Burton – Center For Engineering	County Schools	6:30
(5) Camp Roanoke PSAs	County of Roanoke	:30 each
Fee For Ambulance Transport	County of Roanoke	8:30
DARE Camp Music Video	City of Roanoke	12:00
Employee Appreciation (Parks & Recreation)	City of Roanoke	15:00
Employee Orientation	County of Roanoke	19:00
Explore Park Open House PSA	County of Roanoke	:30
Fire/EMS Citizen Appreciation Day PSA	City of Roanoke	:30
(3) Focus On Crime Prevention	County of Roanoke	6:30 each
House Numbers PSA	City of Roanoke	:30
(2) Library Links	City of Roanoke	22:00
New Solid Waste/Recycling	City of Roanoke	20:00
Patriotic Music Video	City of Roanoke	1:45
(4) Patriotic RVTV Station I.D.s	City/County	:10 each
Rescue Challenge	City of Roanoke	13:00
(2) Roanoke Adolescent Health Partnership PSA	City Schools	:30 each
(6) RVTV Station I.D.s	City/County	:10 each
Safe Driving PSA	County Schools	:30

RVTV 2001 Productions Edited Videos

Title	Client	Length
School Convocation Video	City Schools	9:00
School Within A School	County Schools	7:00
Spotlight On City Schools PSA	City Schools	:30
Spring Hollow Reservoir	Roanoke County	8:40
Valleyfest PSA	Roanoke County	:30
Vinton Student Government Day	Town of Vinton	10:00
(2) Water Conservation PSAs	City of Roanoke	:30 each

2001 Shows

Total	Title	Client	Time
12	Inside Roanoke	City of Roanoke	28:50 each
12	Roanoke County Today	Roanoke County	26:50 each
14	Spotlight On City Schools	Roanoke City Schools	25:00 each
11	Accent Excellence	Roanoke County Schools	25:00 each
7	Roanoke Talk	City of Roanoke	29:00 each
2	Roanoke County Business Partners	County of Roanoke	29:00 each
1	Roanoke County Connections	County of Roanoke	29:00

Total Productions	City of Roanoke	Roanoke County	Town of Vinton
103	53	49	1
Percentage	51%	48%	1%

2001 Meetings

Totals	Meetings
24	City Council Meetings
23	Board of Supervisors Meetings
1	Roanoke City Schools – School Board Interviews
1	City Council Budget Meeting (Civic Center)
1	Board of Supervisors Meeting (Evening, March 13)
1	Neighborhood Partnership Meeting
1	Roanoke Valley Law Enforcement Memorial Service
1	Roanoke County Student Government Day
1	State of the County Address
1	Roanoke County Investiture Ceremony
3	Roanoke City Schools – School Feasibility Study

RVTV Productions 2000 & 2001

	2000	2001	Increase/Decrease
Video Productions	39	44	+5 (13%)
Meetings	55	58	+3 (5%)
Shows	39	59	+20 (51%)
Average Hours of Programming Per Month	252	280	+28 (11%)

RVTV Proposed 2002 – 2003 Budget

	2001-2002 Budget	Proposed	Remaining Balance	% Expended
1010 Regular	138,924.00 (+2.5%)	142,397.00	45,423.95	67.30
2100 FICA (Employer Contribution)	10,628.00	10,893.00	3,810.03	64.15
2200 Retirement – VRS	15,087.00	10,680.00	5,825.56	61.39
2202 Deferred Comp Match	480.00	720.00	160.00	66.67
2300 Group Health Insurance	19,299.00 (+13%)	21,808.00	5,182.04	73.15
2310 Group Dental Insurance	828.00	946.00	334.24	59.63
2400 Life Insurance – VSRS	1,111.00	1,282.00	368.92	66.79
3013 Professional Services – Other (Closed Captioning, Dubbing etc.)	25,000.00	25,000.00	10,355.49	58.58
3202 Repairs (Office Equipment)	250.00	100.00	250.00	.00
3204 Repairs Vehicles (By Garage)	300.00	300.00	60.97	79.68
3209 Repairs (Other Equipment)	2,000.00	2,000.00	1,922.95	3.85
3305 Maintenance Service Contracts	720.00	720.00	487.96	32.23
3530 Printed Forms	250.00	.00	250.00	.00
3610 Advertising	500.00	.00	500.00	.00
5210 Postage	250.00	200.00	149.79	40.08
5230 Telephone	5,650.00	5,000.00	2,910.77	48.48
5235 Cellular Phones	350.00	350.00	219.88	37.18
5236 Pager Services	288.00	288.00	133.86	53.52
5305 Motor Vehicle Insurance	1,400.00	1,300.00	1,400.00	.00
5308 General Liability Insurance	2,121.00	2,121.00	2,121.00	.00
5410 Lease/Rent of Equipment	800.00	800.00	383.50	52.06
5420 Lease/Rent of Buildings	29,880.00	29,880.00	9,960.08	66.67
5501 Travel (Mileage)	200.00	200.00	176.28	11.86
5504 Travel (Convention & Conf.)	1,000.00	200.00	1,000.00	.00
5520 Dinner Meetings & Luncheons	500.00	150.00	297.69	40.46
5540 Training & Education	500.00	200.00	500.00	.00
5801 Dues & Association Membership	700.00	350.00	40.04	94.28
6010 Office Supplies – General	1,500.00	1,100.00	829.38	44.71
6013 Small Equipment & Supplies	2,500.00	2,500.00	1,007.38	59.71
6014 Video Supplies	5,000.00	5,000.00	2,281.72	54.37
6080 Gas, Oil & Grease	800.00	600.00	586.11	26.74
6091 Tires, Tubes Parts	300.00	300.00	183.76	38.75
6202 Subscriptions (Internet)	500.00	500.00	176.80	64.64
Total	\$269,616.00	\$267,885.00	\$99,290.15	63.17

Decrease from last year: \$1,731.00 or -.99%

* Year to Date Expenditures

For the 08 Month Period Ended 02/28/02

RVTV Proposed 2002 –2003 Budget

		2001-2002 Budget	Proposed
1010	Regular	138,924.00 (+2.5%)	142,397.00
2100	FICA (Employer Contribution)	10,628.00	10,893.00
2200	Retirement – VRS	15,087.00	10,680.00
2202	Deferred Comp Match	480.00	720.00
2300	Group Health Insurance	19,299.00 (+13%)	21,808.00
2310	Group Dental Insurance	828.00	946.00
2400	Life Insurance – VSRS	1,111.00	1,282.00
3013	Professional Services – Other (Closed Captioning, Dubbing etc.)	25,000.00	25,000.00
3202	Repairs (Office Equipment)	250.00	100.00
3204	Repairs Vehicles (By Garage)	300.00	300.00
3209	Repairs (Other Equipment)	2,000.00	2,000.00
3305	Maintenance Service Contracts	720.00	720.00
3530	Printed Forms	250.00	0
3610	Advertising	500.00	0
5210	Postage	250.00	200.00
5230	Telephone	5,650.00	5,000.00
5235	Car Phones	350.00	350.00
5236	Pager Service	288.00	288.00
5305	Motor Vehicle Insurance	1,400.00	1,300.00
5308	General Liability Insurance	2,121.00	2,121.00
5410	Lease/Rent of Equipment	800.00	800.00
5420	Lease/Rent of Buildings	29,880.00	29,880.00
5501	Travel (Mileage)	200.00	200.00
5504	Travel (Convention & Conf.)	1,000.00	200.00
5520	Dinner Meetings & Luncheons	500.00	150.00
5540	Training & Education	500.00	200.00
5801	Dues & Association Membership	700.00	350.00
6010	Office Supplies – General	1,500.00	1,100.00
6013	Small Equipment & Supplies	2,500.00	2,500.00
6014	Video Supplies	5,000.00	5,000.00
6080	Gas, Oil & Grease	800.00	600.00
6091	Tires, Tubes Parts	300.00	300.00
6202	Subscriptions (Internet)	500.00	500.00
	Total:	\$269,616.00	\$267,885.00

Decrease from last year: \$1,731.00 or -.99%

RVTV Financial Report

Current Account Balances as of Feb. 27, 2002

213200 (Operating Budget).....	\$99,432.18
213300 (Cox Cable Capital Grant).....	\$130,434.63
213500 (RVTV Year-End Rollover Account)	\$143,929.32

Account 213500 (RVTV Year-End Rollover) represents the unused funds from the Operating Budget since 1991. RVTV does not lose these funds at the end of the fiscal year, rather they are rolled over into this savings account which will be used for capital purchases after the Capital Grant from Cox is depleted.

Cox Communications 2001 Franchise Fees

Cox Communications paid a 5% franchise fee to the local governments in 2001 which totaled **\$1,718,936.00**. The local governments have informally agreed to allocate up to 20% of the franchise fees collected to the RVTV Operating Budget. For the coming year, that amount would be **\$343,787.00**. RVTV is requesting a budget of **\$267,885.00** which is **\$75,902.00 less** than that amount.

Cox calculates the percentage of subscribers (December 31, 2001) in each locality as follows:

Locality	Subscribers	Percentage
City	32,332	55%
County	23,214	40%
Vinton	2,727	5%

Based on those figures, each locality's contribution to an Operating Budget of **\$267,885.00** would be as follows:

	2001 – 2002 Budget	2002 – 2003 Budget
City	\$148,289	\$147,337
County	\$107,846	\$107,154
Vinton	\$13,481	\$13,394

P.T.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

A RESOLUTION approving the recommendation of the Roanoke Valley Regional Cable Television Committee to approve the annual operating budget for Fiscal Year 2002-2003 for the operation of the regional government and educational access station, Roanoke Valley Television (RVTV, Channel 3), and for the City to provide partial funding.

WHEREAS, the Roanoke Valley Regional Cable Television Committee (Committee) has reviewed and approved the annual budget for the Fiscal Year 2002-2003 for the operation of RVTV and has requested that the City of Roanoke approve that budget; and

WHEREAS, the Committee is comprised of representatives from the City of Roanoke, Roanoke County, and the Town of Vinton and these jurisdictions have agreed to provide funding for the purposes for which the Committee was created, including the support of the operation of a regional government and educational access station, RVTV; and

WHEREAS, such jurisdictions have agreed to provide funding as provided for in the agreement creating the Committee and the Committee has recommended that the City of Roanoke provide partial funding to RVTV in the amount of \$147,337.00, which is within the limits provided for in the agreement; and

WHEREAS this Council desires to approve the recommendation of the Committee and provide partial funding as requested by the Committee.

THEREFORE, BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. The annual budget for Fiscal Year 2002-2003 for the operation of the regional

government and regional educational access station, RVTv, as set forth in a letter to this Council dated May 6, 2002, is hereby approved.

2. The amount of \$147,337.00 will be provided by the City of Roanoke as its prorata share for the annual operational budget for RVTv for the Fiscal Year 2002-2003 as requested in the letter to this Council dated May 6, 2002.

ATTEST:

City Clerk.



Sherman P. Lea, Chairman
Ruth C. Willson, Vice Chairman
Charles W. Day

Marsha W. Ellison
Gloria P. Manns
Melinda J. Payne

Brian J.
E. Wayne Harris, Ed.D., Superintendent
Cindy H. Lee, Clerk of the Board

Roanoke
City School Board P.O. Box 13145, Roanoke, Virginia 24031 • 540-853-2381 • Fax: 540-853-2951

May 6, 2002

The Honorable Ralph K. Smith, Mayor
and Members of Roanoke City Council
Roanoke, VA 24011

Dear Members of Council:

The School Board respectfully requests City Council to approve the following appropriation which was approved at its April 16 meeting.

- \$104,255.00 from the Capital Maintenance and Equipment Replacement Fund. The monies will be used for the purchase of instructional technology requests, the replacement of a transportation fuel truck, for facility maintenance requirements, for elementary physical education equipment and improvements, and for facility improvements at Woodrow Wilson Middle School.

The Board appreciates the approval of this request.

Sincerely,

Cindy H. Lee, Clerk

re

cc: Mr. Sherman P. Lea
Dr. E. Wayne Harris
Mr. Richard L. Kelley
Mr. Kenneth F. Mundy
Mr. William L. Murray

Mrs. Darlene L. Burcham
Mr. William M. Hackworth
Mr. Jesse A. Hall
Mrs. Ann H. Shawver (with accounting details)

**CITY OF ROANOKE
DEPARTMENT OF FINANCE**

215 Church Avenue, S.W. Room 461
P.O. Box 1220
Roanoke, VA 24006-1220
Telephone: (540) 853-2821
Fax: (540) 853-2940

May 6, 2002

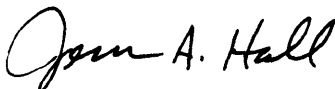
The Honorable Ralph K. Smith, Mayor
The Honorable William H. Carder, Vice Mayor
The Honorable William D. Bestpitch, Council Member
The Honorable C. Nelson Harris, Council Member
The Honorable W. Alvin Hudson, Jr., Council Member
The Honorable William White, Sr., Council Member
The Honorable Linda F. Wyatt, Council Member

Dear Mayor Smith and Members of City Council:

We have reviewed the attached request from the School Board to appropriate \$104,255 from their Capital Maintenance and Equipment Replacement Program. The monies will be used to purchase instructional technology, replacement of a transportation fuel truck, facility maintenance, elementary physical education equipment and improvements, and facility improvements at Woodrow Wilson Middle School.

We recommend that you concur with this request of the School Board.

Sincerely,



Jesse A. Hall
Director of Finance

JAH/SD/pac

Attachment

c: Darlene L. Burcham, City Manager
William M. Hackworth, City Attorney
Mary F. Parker, City Clerk
E. Wayne Harris, Superintendent of City Schools

AHS

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA

AN ORDINANCE to amend and reordain certain sections of the 2001-2002 General and School Funds Appropriations, and providing for an emergency.

WHEREAS, for the usual daily operation of the Municipal Government of the City of Roanoke, an emergency is declared to exist.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that certain sections of the 2001-2002 General and School Funds Appropriations, be, and the same are hereby, amended and reordained to read as follows, in part:

General Fund

Appropriations

Nondepartmental	\$ 72,862,475
Transfer to School Fund (1)	46,118,817

Fund Balance

Reserved for CMERP - Schools (2).	\$ 683,055
---	------------

School Fund

Appropriations

Operations	\$ 24,026,676
Facilities (3-7).	1,735,305

Revenues

Nonoperating (8).	\$ 46,118,817
---------------------------	---------------

1) Transfer to		
School Fund	(001-250-9310-9530)	\$ 104,255
2) Reserved for		
CMERP - Schools	(001-3324)	(104,255)

3) Replacement - Machinery and Equipment	(030-065-6006-6318-0801)	\$ 24,670
4) Additional - Motor Vehicles and Equipment	(030-065-6006-6676-0824)	6,000
5) Additional - Machinery and Equipment	(030-065-6006-6681-0821)	56,305
6) Additional -Other Capital Outlays	(030-065-6006-6682-0829)	5,000
7) Additional - Other Capital Outlays	(030-065-6006-6896-0829)	12,280
8) Transfer from General Fund	(030-060-6000-1037)	104,255

BE IT FURTHER ORDAINED that, an emergency existing, this Ordinance shall be in effect from its passage.

ATTEST:

City Clerk.

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

551
4/16/02

AN ORDINANCE to amend §36.1-3, Code of the City of Roanoke (1979), as amended, and Sheet No. 276, Sectional 1976 Zone Map, City of Roanoke, in order to amend, repeal or replace certain proffered conditions, accepted by City Council by Ordinance No. 32294-121994, presently binding upon Official Tax No. 2761409, and rezoning such Official Tax No. 2761409, from RS-3, Residential Single Family, Low Density District, and C-2, General Commercial District, to C-2, General Commercial District, subject to certain conditions proffered by the applicant; and rezoning Official Tax No. 2761421 from RS-3, Residential Single Family, Low Density District, to C-2, General Commercial District, subject to certain conditions proffered by the applicant.

WHEREAS, Mr. Michael A. Wells, has made application to the Council of the City of Roanoke to amend, repeal or replace proffered conditions, accepted by City Council by Ordinance No. 32294-121994, presently binding upon Official Tax No. 2761409, and rezoning such Official Tax No. 2761409, from RS-3, Residential Single Family, Low Density District, and C-2, General Commercial District, to C-2, General Commercial District, subject to certain conditions proffered by the applicant, and rezoning Official Tax No. 2761421 from RS-3, Residential Single Family, Low Density District, to C-2, General Commercial District, subject to certain conditions proffered by the applicant; and

WHEREAS, the City Planning Commission, after giving proper notice to all concerned as required by §36.1-693, Code of the City of Roanoke (1979), as amended, and after conducting a public hearing on the matter, has made its recommendation to Council; and

WHEREAS, a public hearing was held by City Council on said application at its meeting on

April 15, 2002, after due and timely notice thereof as required by §36.1-693, Code of the City of Roanoke (1979), as amended, at which hearing all parties in interest and citizens were given an opportunity to be heard, both for and against the proposed rezoning; and

WHEREAS, this Council, after considering the aforesaid combined application, the recommendations made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the proffered conditions now binding upon the parcel of land designated as Official Tax No. 2761409, should be amended and replaced and that Ordinance No. 32294-121994, accepting said proffered conditions, should be repealed to the extent that it rezones the subject property and accepts and places such proffered conditions on said property; and

WHEREAS, this Council, after considering the aforesaid combined application, the recommendation made to the Council by the Planning Commission, the City's Comprehensive Plan, and the matters presented at the public hearing, is of the opinion that the hereinafter described property should be rezoned as herein provided.

THEREFORE, BE IT ORDAINED by the Council of the City of Roanoke that §§36.1-3 and 36.1-4, Code of the City of Roanoke (1979), as amended, and Sheet No. 276 of the Sectional 1976 Zone Map, City of Roanoke, be amended in the following particular and no other:

That the conditions now binding upon the parcel of land designated as Official Tax No. 2761409, be amended and replaced and that Ordinance No. 32294-121994, accepting said conditions, be repealed to the extent that it rezones the subject property and accepts and places such conditions on said property; that certain tract of land described as Official Tax No. 2761409, designated on Sheet No. 276 of the Sectional 1976 Zone Map, City of Roanoke, be, and is hereby

rezoned from RS-3, Single Family Residential District, to C-2, General Commercial District, subject to the proffers accepted by City Council in Ordinance No. 32294-121994, to C-2, General Commercial District, subject to the proffers contained in the Amended Petition filed in the Office of the City Clerk on April 8, 2002; and that tract of land designated as Official Tax No. 2761421, be, and is hereby, rezoned from RS-3, Single Family Residential District, to C-2, General Commercial District, subject to the proffers contained in the Amended Petition filed in the Office of the City Clerk on April 8, 2002; and that Sheet No. 276 of the Zone Map be amended to reflect the changes in the proffered conditions and rezoning of the subject parcels, as set forth in the report of the Planning Commission dated April 15, 2002.

ATTEST:

City Clerk.

Wmt

IN THE COUNCIL OF THE CITY OF ROANOKE, VIRGINIA,

A RESOLUTION establishing the date of a Special Meeting of the Council of the City of Roanoke.

BE IT RESOLVED by the Council of the City of Roanoke as follows:

1. A Special Meeting of City Council shall be held on May 13, 2002, at 2:00 p.m., in Council Chambers, Municipal Building, 215 Church Avenue, S. W., Roanoke, Virginia, for the purpose of:

- adopting the proposed annual budget for the City of Roanoke for Fiscal Year 2002-2003
- adopting the annual update to the HUD consolidated plan
- adopting a pay plan ordinance
- adopting ordinance establishing annual salaries of Council-appointed officers
- endorsing an update to the Capital Improvements Program
- adopting ordinances setting an assessment for courtroom security and jail processing fees
- adopting an ordinance increasing the City's admissions tax
- adopting an ordinance increasing certain zoning and subdivision fees

- adopting an ordinance providing for collection by the City of certain administrative costs associated with collections pursuant to the Setoff Debt Collection Act
- adopting an ordinance changing the time of commencement of calculating interest on delinquent real estate taxes
- adopting an ordinance providing for collection by the City of certain administrative costs assessed delinquent taxpayers pursuant to §58.1-3958, Code of Virginia
- adopting ordinances eliminating certain discounts for merchants who collect taxes on prepared food and beverages and the sale of cigarettes
- adoption of resolutions amending the City's Fee Compendium to raise boat rental and user fees at Carvins Cove, erosion and sediment control fees, solid waste management commercial collection fees, certain Fire-EMS fees, and sign permit fees
- adoption of an ordinance granting a cost-of-living allowance increase for City retirees
- adoption of an ordinance increasing and adjusting certain parking ticket fines.

2. The City Clerk is hereby directed to take whatever steps are deemed necessary to notify the public of the time and place of such Special Meeting.

ATTEST:

City Clerk.

***MOTION AND CERTIFICATION
WITH RESPECT TO
CLOSED MEETING***

FORM OF MOTION:

I move, with respect to any Closed Meeting just concluded, that each member of City Council in attendance certify to the best of his or her knowledge that (1) only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act and (2) only such public business matters as were identified in any motion by which any Closed Meeting was convened were heard, discussed or considered by the members of Council in attendance.

PLEASE NOTE:

1. The forgoing motion shall be made in open session at the conclusion of each Closed Meeting.
2. Roll call vote included in Council's minutes is required.
3. Any member who believes there was a departure from the requirements of subdivisions (1) and (2) of the motion shall state prior to the vote the substance of the departure that, in his or her judgement, has taken place. The statement shall be recorded in the minutes of City Council.